

**Minutes of the Meeting of the Advisory Committee (AC) meeting held on
07.06.2024**

Agenda No. 1

File No. FC/HPB/56/2023

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Shri Vinod Kumar, Village Trambala, PO Longni, for non-forestry use of 1.7674 ha. of forest land for mining lease for extraction of Sand, Stone and Bajri in Son Khad Part-III at Kalsawai, within the jurisdiction of Joginder Nagar Forest Division, District Mandi, HP. (Online Proposal No. FP/HP/MIN/119019/2021)- regarding.

1. The instant proposal is being considered for the 1st time in AC meeting.
2. The instant proposal is for mining lease for extraction of Sand, Stone and Bajri in Son Khad Part-III at Kalsawai, within the jurisdiction of Joginder Nagar Forest Division, District Mandi, HP.
3. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by Member Secretary before the Advisory Committee (AC). Committee was also apprised of the relevant provisions under Adhiniyam, Rules and Guidelines relevant to the proposal and their significance.
4. The DDGF (Central) Regional Office, Chandigarh and Conservator of Forests, State of Himachal Pradesh attended the meeting.
5. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The Government of Himachal Pradesh, Forest Department vide proposal No. FP/HP/MIN/119019/2021 dated 20.03.2023 submitted a fresh proposal to obtain prior approval of the Central Government, under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for mining lease for extraction of Sand, Stone and Bajri in Son Khad Part-III at Kalsawai, within the jurisdiction of Joginder Nagar Forest Division, District Mandi, HP.
 - ii. The instant mining proposal is proposed to be carried out in Beas river.
 - iii. The above proposal was examined by the RO, Chandigarh & Sub-office, Shimla and after examination, certain shortcomings were observed and the same was communicated to the State Government on 20.07.2023. The State Govt. of HP vide letter dated 14.02.2024 has satisfactorily complied all the observations.
 - iv. Density of vegetation in the proposed area is 0 having Eco class 5 and no tree is proposed to be felled in the proposal.
 - v. The component-wise break up of forest land is given as below:

Sl. No.	Component	Forest Land(Ha)	Non-Forest Land (Ha)
1.	Sand, Stone and Bajri	1.7674	0
	Total	1.7674	0

- vi. It has been mentioned that proposed project does not fall within 10 km radius of the boundary of any PAs. No endangered, Schedule-I species, etc. have been reported in the area proposed for diversion. No protected archaeological / heritage site / defense establishment or any other important monuments is located in the area has been reported. Certificates to this effect has been submitted by DFO concerned.
- vii. No violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 have been reported. Certificate to this effect has been submitted by DFO concerned.
- viii. Compensatory Afforestation has been proposed over 3.53 ha. Degraded forest land in Chhejkhobl DPF Survey No.53A/9, Dharampur Forest Range, Joginder Nagar Forest Division, Distt. Mandi. Suitability certificate has been submitted by DFO concerned. Certificate to defray the cost of CA has been submitted by the User Agency. CA scheme for 10 years have been submitted along with the proposal. The Committee was informed that as per Rule 13(4)(a) of Van (Sanrakshan Evam Samvardhan) Rules, 2023, States or Union territory Administrations, having forest area more than 33% of their total geographical area and a certificate on non-availability of suitable non-forest land for raising compensatory afforestation furnished by the State Government are eligible to propose CA over degraded forest land. As the forest area is more that 33% in Himachal Pradesh, CA over degraded forest can be considered in the instant case.
- ix. The DCF, Mandi has recommended the proposal stating that the case for FCA for mining in Beas river bed is strictly recommended with a condition that the user agency has to obey the rules and general conditions in addition to site specific conditions as specified by the joint inspection committee as specified during joint inspection then, as per Himachal Pradesh mines and Mineral (Development and Regulation) Act, 1957 and various latest notification as well as guidelines of H.P. Mineral policy for Regulation of Mines and Mineral from time to time so far till today. The authorities of the State Government have also recommended the same.
- x. The State Government has recommended following mitigation measures during execution of the project:
 - 1. The stream of the river will not be disturbed and all possible measures will be adopted for smooth flowing of the water stream so that riverine ecology could not be disturbed. In view of the effect on climate, mining contract area is very small and mining will be confined within the river bed.
 - 2. Measures will be taken to prevent the cutting of river banks and exceeding 2 m depth limit from the river bed surface.
 - 3. Since no blasting will be involved during the extraction of minor minerals like sand, stone & Bajri and very little dust will be generated during transportation, which would negligible disturbance to air quality of Air & Noise will test

- through different station for safety of the Environment.
4. There is already vegetation along the banks which falls outside the contracted area hence, there will be no effect on flora & Fauna.
 5. Necessary arrangement shall be made at the stop piles to prevent silt & sediments flowing in water.
 6. No. effluent will be generated due to mining activity. Undertaking for the same has been submitted.
- xi. After examination of the proposal in the Ministry, Regional Office, Chandigarh was requested to carryout site inspection of the area proposed for diversion on 18.05.2024. Accordingly, site inspection was carried out by the Regional Office, Chandigarh from 20.05.2024 to 22.05.2024 and the report was submitted to the Ministry on 24.05.2024 and recommendation of the inspecting officer has been recommended by DDGF (C), Regional Office, Chandigarh which are as under:
1. The crate wire fencing adjacent to the Khad right bank shall not be broken during the extraction and transportation of material.
 2. State Government shall ensure that flow of adjacent water body is not blocked and it does not affect the aquatic flora and fauna in any manner.

The Committee noted that the above mentioned conditions are to be complied by the State Government.

- xii. The Lol for the instant proposal has expired on 03.06.2024. The Conservator of Forests, Himachal Pradesh informed that User Agency has applied for renewal of Lol. Further, the Committee was also informed that Lol has been expired during procedure of obtaining approval under Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. The Committee noted the point and the Committee informed that valid Lol is required before approval.
- xiii. The State Government with regard to safety zone has mentioned that Son Khad has a wide angle at the mining site, due to this most often the water stream gets on changing its path, hence it is not possible to find the middle of the river bed. However, mid-stream mining in accordance with the approved mining plan would lead to systematic channelization of river bed and minimize chances of boulders overflowing the banks. This would also protect the adjoining area from the fury of monsoon flood. The Committee was apprised about guidelines regarding safety zone: *"Extraction of minor minerals like boulders, bajri, stone, shell, etc. from the riverbeds shall not be permitted if the river bed is in a national park or a wildlife sanctuary unless such extraction is for the benefit of the forest or wildlife. Extraction of minor minerals when permitted shall be from the middle of the riverbed after leaving one fourth of the river bed on each bank untouched."*

However, it was noted that the proposal will be considered for approval after identifying middle of the riverbed, demarcate safety

zone and submission of corrected KML file to the Ministry.

- xiv. As per the DSS analysis, a transmission line is passing through the CA patch namely Chejkhobla, Compartment No 53A\13. The Conservator of Forests informed that only Transmission cable is passing and there is no tower in CA patch, hence there will be problem to carry out CA. The Committee agreed for the same.
- xv. The Joint Inspection report on 17.03.2017 carried out by the State Forest department along with other officials of Govt. of HP, it was learnt that there is 9 mining which was auctioned in the Mandi District Namely Son Khad Part-I (1235), Son Khad part-II (1333), Son Khad part-III (1334/1), Son Khad part-IV (1334/2), Son Khad Part-V (1727), Son Khad part-VI (02/1), Son Khad part-VI (02/2), Sakren Khad Part-I (767/1) and Sakren Khad Part-I (767/2). Accordingly, the Committee desired KML files of all the above mentioned mines.

6. Decision of the Advisory Committee: The Committee had detailed discussion and deliberation with the DDGF (Central), RO Chandigarh, Conservator of Forests, Government of Himachal Pradesh. The Committee recommended the proposal for grant of Stage- I clearance for diversion of 1.7674 ha. of forest land for mining lease for extraction of Sand, Stone and Bajri in Son Khad Part-III at Kalsawai, within the jurisdiction of Joginder Nagar Forest Division, District Mandi, HP.

Furthermore, the Committee stated that Stage-I approval for the proposal, shall be considered provided that the State Government submit the following:

1. Valid Letter of Intent obtained from competent authority.
2. The State Government shall identify middle of the riverbed, demarcate safety zone and submit the revised KML file to the Ministry.

Agenda No.2

File No. FC/HPB/09/49/2021

Sub: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 0.7984 ha of forest land in favour of Sh. Vinod Kumar, S/o Swami Ram for extraction of sand, stone and bajri in Son Khad Part-II at Kalswai, Village- Trambala, P.O. Longni, Tehsil Dharampur, District Mandi in the State of Himachal Pradesh (Online Proposal No. FP/HP/MIN/129370/2021)- regarding.

1. The instant proposal is being considered for the 1st time in Ac meeting.
2. The instant proposal is for extraction of sand, stone and bajri in Son Khad Part-II at Kalswai, Village- Trambala, P.O. Longni, Tehsil Dharampur, District Mandi in the State of Himachal Pradesh.
3. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by Member Secretary before the Advisory Committee (AC).

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

4. The DDGF (Central) Regional Office, Chandigarh and Conservator of Forests, State of Himachal Pradesh attended the meeting.
5. The Advisory Committee (AC) after thorough deliberation and discussion observed the following:
 - i. The Government of Himachal Pradesh, Forest Department vide proposal No. FP/HP/MIN/129370/2021 dated 20.03.2023 submitted a fresh proposal to obtain prior approval of the Central Government, under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 for mining lease for extraction of Sand, Stone and Bajri in Son Khad Part-III at Kalsawai, within the jurisdiction of Joginder Nagar Forest Division, District Mandi, HP.
 - ii. The instant mining proposal is proposed to be carried out in Beas river.
 - iii. The above proposal was examined by the RO, Chandigarh & Sub-office, Shimla and after examination, certain shortcomings were observed and the same was communicated to the State Government on 20.07.2023. The State Govt. of HP vide letter dated 14.02.2024 has satisfactorily complied all the observations.
 - iv. Density of vegetation in the proposed area is 0 having Eco class 5 and no tree is proposed to be felled in the proposal.
 - v. The component-wise break up of forest land is given as below:

Sl. No.	Component	Forest Land(Ha)	Non-Forest Land (Ha)
1.	Sand, Stone and Bajri	0.7984	0
Total		0.7984	0

- vi. It has been mentioned that proposed project does not fall within 10 km radius of the boundary of any PAs. No endangered, schedule-I species, etc. have been reported in the area proposed for diversion. No protected archaeological / heritage site / defense establishment or any other important monuments is located in the area has been reported. Certificates to this effect has been submitted by DFO concerned.
- vii. No violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 have been reported. Certificate to this effect has been submitted by DFO concerned.
- viii. Compensatory Afforestation has been proposed over 3.2 ha. Degraded forest land in Chhejkhobl DPF Survey No. 53A/13, DPF Chej Khobla, Forest Beat Dharampur, Forest Block Dharampur, Forest Range Dharampur, Tehsil Dharampur, District Mandi, HP. Suitability certificate has been submitted by DFO concerned. Certificate to defray the cost of CA has been submitted by the User Agency. CA scheme for 10 years have been submitted along with the proposal. The Committee was informed that as per Rule

13(4)(a) of Van (Sanrakshan Evam Samvardhan) Rules, 2023, States or Union territory Administrations, having forest area more than 33% of their total geographical area and a certificate on non-availability of suitable non-forest land for raising compensatory afforestation furnished by the State Government are eligible to propose CA over degraded forest land. As the forest area is more than 33% in Himachal Pradesh, CA over degraded forest can be considered in the instant case.

- ix. The DCF, Mandi has recommended the proposal stating that The case for FCA for mining in Beas river bed is strictly recommended with a condition that the user agency has to obey the rules and general conditions in addition to site specific conditions as specified by the joint inspection committee as specified during joint inspection then, as per Himachal Pradesh mines and Mineral (Development and Regulation) Act, 1957 and various latest notification as well as guidelines of H.P. Mineral policy for Regulation of Mines and Mineral from time to time so far till today. The authorities of the State Government has also recommended the same.
- x. The State Government has recommended following mitigation measures during execution of the project:
 - 1. The stream of the river will not be disturbed and all possible measures will be adopted for smooth flowing of the water stream so that riverine ecology could not be disturbed. In view of the effect on climate, mining contract area is very small and mining will be confined within the river bed.
 - 2. Measures will be taken to prevent the cutting of river banks and exceeding 2 m depth limit from the river bed surface.
 - 3. Since no blasting will be involved during the extraction of minor minerals like sand, stone & Bajri and very little dust will be generated during transportation, which would negligible disturbance to air quality of Air & Noise will test through different station for safety of the Environment.
 - 4. There is already vegetation along the banks which falls outside the contracted area hence, there will be no effect on flora & Fauna.
 - 5. Necessary arrangement shall be made at the stop piles to prevent silt & sediments flowing in water.
 - 6. No. effluent will be generated due to mining activity. Undertaking for the same has been submitted.
- xi. After examination of the proposal in the Ministry, Regional Office, Chandigarh was requested to carryout site inspection of the area proposed for diversion on 18.05.2024. Accordingly, site inspection was carried out by the Regional Office, Chandigarh from 20.05.2024 to 22.05.2024 and the report was submitted to the Ministry on 24.05.2024 and recommendation of the inspecting officer has been recommended by DDGF (C), Regional Office, Chandigarh which are as under:
 - 1. State Government may be advised to take all the

precautionary measures to stop the change in flow of water due to mining.

2. The crate wire fencing adjacent to the Khad right bank shall not be broken during the extraction and transportation of material.

The Committee noted that the above mentioned conditions are to be complied by the State Government.

- xii. The State Government with regard to safety zone has mentioned that Son Khad has a wide angle at the mining site, due to this most often the water stream gets on changing its path, hence it is not possible to find the middle of the river bed. However, mid-stream mining in accordance with the approved mining plan would lead to systematic channelization of river bed and minimize chances of boulders overflowing the banks. This would also protect the adjoining area from the fury of monsoon flood. The Committee was apprised about guidelines regarding safety zone: *"Extraction of minor minerals like boulders, bajri, stone, shell, etc. from the riverbeds shall not be permitted if the river bed is in a national park or a wildlife sanctuary unless such extraction is for the benefit of the forest or wildlife. Extraction of minor minerals when permitted shall be from the middle of the riverbed after leaving one fourth of the river bed on each bank untouched."*

Accordingly, the committee informed Conservator of Forests, Himachal Pradesh that the proposal will be considered for approval after identifying middle of the riverbed, demarcate safety zone and submit KML file to the Ministry.

- xiii. The CA land notification copy, in compliance to pint No. 18 of the EDS, RO has mentioned that the said EDS has been partially complied with, However, Chej Khobla DPF Notification No. Fts (F) 5- 1/80 dt. 18.08.1980 is not part of the reply. The Conservator of Forests was requested to submit copy of the notification.
- xiv. The Joint Inspection report on 17.03.2017 carried out by the State Forest department along with other officials of Govt. of HP, it was learnt that there is 9 mining which was auctioned in the Mandi District namely Son Khad part-I (1235), Son Khad part-II (1333), Son Khad part-III (1334/1), Son Khad part-IV (1334/2), Son Khad part-V (1727), Son Khad part-VI (02/1), Son Khad part-VI (02/2), Sakren Khad part-I (767/1) and Sakren Khad part-I (767/2). Accordingly, the Committee desired KML files of all the above mentioned mines.

6. Decision of the Advisory Committee: The Committee had detailed discussion and deliberation with the DDGF (Central), RO Chandigarh, Conservator of Forests, Government of Himachal Pradesh. The Committee recommended the proposal for grant of Stage- I clearance for diversion of 0.7984 ha. of forest land for mining lease for extraction of Sand, Stone and Bajri in Son Khad Part-II at Kalsawai, within the jurisdiction of Joginder Nagar

Forest Division, District Mandi, HP.

Furthermore, the Committee stated that Stage-I approval for the proposal shall be considered provided that the State Government submit the following:

1. The State Government shall identify middle of the riverbed, demarcate safety zone and submit KML file to the Ministry.
2. Copy of Chej Khobla DPF Notification No. Fts (F) 5- 1/80 dt. 18.08.1980

Furthermore, the State Government shall ensure that a valid Letter of Intent shall be provided at the time of submission of Stage-I compliance report.

Agenda No. 3

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

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

1. The above proposal was considered by the Advisory Committee (AC) in its meeting held on 07.06.2024. The corresponding agenda note may be seen at www.parivesh.nic.in. The CCF O/o Nodal Officer (FCA), Odisha and DDGF (Central), Regional Office, MoEF&CC, Bhubaneswar attended the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee after through deliberation and discussion observed that:
 - i. Proposal is for diversion of 41.819 ha of balance forest land (32.425 ha for mining and allied activities, safety zone area of 8.568 ha and greenery of 0.26 ha) in addition to already diverted 567.087 ha of forest land in Joda East Iron & Manmora Manganese Mines of M/s Tata Steel Ltd. in Keonjhar Forest Division of Odisha.
 - ii. Legal status of the land proposed for diversion is Reserved Forest (8.110 ha), KF (0.927 ha) and DLC (32.782 ha).
 - iii. Total lease area is 671.093 ha, comprising of 608.906 ha of forest land and 62.187 ha of non-forest land. Approval for diversion of 567.087 ha of forest land was granted by the Central Government on 24.9.2007. Subsequently, 'in-principle' approval for change in the land use over and 567.087 of forest land was granted by the Ministry on 10.10.2017. Extant proposal is for balance forest area of 41.819 ha comprising of 32.425 ha for mining and 8.568 ha and 0.26 ha for safety zone and greenery, respectively.
 - iv. Density of vegetation in the area proposed for diversion is reported to be

- between 0.1 to 0.2 with 1436 project affected trees.
- v. The area does not form a part of any National Park/Wildlife Sanctuary/ Elephant Corridor, but it falls within Elephant Habitat Zone –II as per ORSAC Report. It was assured that suitable plan shall be finalised for conservation of wildlife.
 - vi. The Regional Office and the State Government have earlier reported non-demarcation of safety zone area along the south-eastern railway tracks passing through the lease, construction of old age home, illegal mining pits, spillover of OB into the RF, laying of slurry pipeline, establishment of crusher unit & illegal road construction as violation of Adhinyam. The user agency in the past had undertaken the corrective measures on the violations.
 - vii. Environment clearance to the project has been granted by the Ministry in the year 2022.
 - viii. Compensatory afforestation has been proposed over 32.425 ha, excluding the safety zone area. As per the guidelines in vogue area of safety zone should be included in the mining lease and accordingly, the provisions of compensatory afforestation will be applicable over the entire forest land applied for diversion.
 - ix. The proposal was earlier considered by the Advisory Committee in its meeting held on 17.01.2024 and the Advisory Committee recommended that the forest area involved in the mining lease may be inspected by the Regional Office to provide inputs on present status of the project area, effectiveness of the measures taken against the violations in the same and status of compliance of conditions stipulated in the approval granted on 24.09.2007 and 10.10.2017.
 - x. The Regional Office, Bhubaneswar vide their letter dated 23.04.2024 submitted the inspection report and reported as under:
 - a. As regards to the non-compliance/violation of the approved land use plan i.e. location of overburden dump in the Baitarani RF near ML pillar No.42 & 43 and illegal slurry pipe line, the area is included in the re-diversion proposal for which –in-principle approval was granted by the MoEF&CC on 10.10.2017.
 - b. With regards to violation over an area of 4.47 ha by undertaking illegal construction of stacking yard, buildings and crushing unit, the user agency has dismantled the Crusher Unit and the building. All the ML pillars have been serially numbered with chainage and bearing along with the GPS reading inscribed in them.
 - c. Reclamation and rehabilitation of mined out pits has been taken up through embankment and back filling with slime. The stabilization of two Iron Ore OB dump and one Manganese OB dump has been taken up through plantation.
 - d. As regards status of OR Case No.63CH of 2011-12 in JMFC Court, Barbil, the Regional Office informed that OR Case vide OR No.63CH of 2011-12 was booked and Prosecution Report vide PR No.20 of 2011-12 has been sanctioned and submitted to the Hon'ble JMFC, Barbil on 12.03.2012 by DFO, Keonjhar for taking necessary legal action against the offenders. Cognizance has been taken by the learned Court JMFC, Barbil. The Asst. Public Prosecutor has been requested to finalize the case at the earliest by taking efforts for speedy trial.

- xi. Regional Office has recommended the proposal for diversion of forest land subject to fulfilment of general and standard conditions. However, Regional Office, Bhubaneswar has not mentioned of either removal or regularisation of roads appears to be constructed unauthorizidely in the area proposed for diversion.
 - xii. The Nodal Officer, Odisha informed the Committee that a Kuchha road exists in the area proposed for diversion which is being used by the local villagers. It has been included in the diversion proposal of the user agency and it does not amount to unauthorized use of forest land by the user agency.
4. **Decision of Advisory Committee:** The Committee, after deliberations and discussion with the DDG, Regional Office and Nodal Officer, Odisha observed that although remedial measures on the non-compliances of the approval granted in the past, have been reported by the State and the Regional Office, however, it is not clear whether there was any unauthorized use of forest land by the user agency during the intervening period. The Committee, therefore, desired that the Regional Office of the MoEF&CC may clarify the status of use of road and whether the same attracts the provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

Agenda No. 4

File No. 8-17/2023-FC

Subject: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 807.917 ha (instead of 785.49 ha) forest land out of which 804.367 ha forest land in RF-389, 390, 290, 291, 292, 293, 294, 296, 319, 320, 391, 392 & PF-316, 317 of Forest Range Waidhan/ Sarai East and 3.55 ha Revenue forest in various Khasra's for Open Cast Bandha Coal Mine Project in favour of M/s EMIL Mines & Mineral Resources Limited under Singrauli Forest Division, Singrauli District of Madhya Pradesh State (Online No. FP/MP/MIN/144129/2021) - regarding.

1. The agenda item was considered by the AC in its meeting held on 07.06.2024. The corresponding agenda note may be seen at www.parivesh.nic.in.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Dy. DGF (Central), RO, Bhopal and Nodal Office, Government of Madhya Pradesh were present in the meeting during the discussion of the above proposal.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Madhya Pradesh vide their letter No. F-1/841/2023/10-11/1710 dated 27.04.2023 forwarded a fresh proposal for diversion of 807.917 ha forest land for Open Cast Bandha Coal Mine Project in favour of M/s EMIL Mines & Mineral Resources Limited under Singrauli Forest

Division, Singrauli District of Madhya Pradesh State.

- ii. Out of 807.917 ha forest land, 86.694 ha is Protected Forest (PF), 717.673 ha is Reserved Forest and 3.550 ha is Revenue Forest.
- iii. The project is a part of commercial coal mining initiative implemented by Government of India for making India "Aatmanirbhar" in domestic coal supply. Bandha Coal Block Forest diversion proposal is for Open Cast Coal Mining. The coal is proposed to be used for both internal consumption (Captive power plants of Aditya Birla Group) and for general commercial sale. The project would provide direct and indirect employment to approx. 5000 people
- iv. The crown density reported in the 807.917 ha forest land is 0.5 and the forest type reported as Eco-Class 3 and total 110496 number of trees of various species & girth size have been proposed to be felled.
- v. The transport of overburden to the dumping site is proposed to be done with Shovel-Dumper combination and transport of the extracted Coal from Coal face to the Railway siding is proposed to be done with Shovel-Dumper/Conveyor belt combination
- vi. The Dy. DGF (Central), Regional office, Bhopal who has also carried out site inspection of the proposed forest land apprised that the proposed area for diversion was observed to be demarcated on the ground with pillars painted in yellow and long-lat information written over it. The area is covered with natural forest of canopy density ranging from 0.3 to 0.6. The topography was generally plain with gentle gradient. The soil was sandy loam with considerable depth. The main composition of forest include-1) *Shorea robusta*, 2) *Madhuca indica*, 3) *Tectona grandis*, 4) *Lagerstroemia parviflora*, 5) *Butea monosperma*, 6) *Carea arborea*, 7) *Casia fistula*, 8) *Diospyros melanoxylon*, etc. There were a lot of regeneration of *Diospyros melanoxylon*, *Butea monosperma* and *Lagerstroemia parviflora*. It was observed that the enumeration was taken up by sampling method. Total number of samples were 87 of 1.00 ha each. One of the sample plots was checked for enumeration and was found to be correct. Total number of trees enumerated was 1,07,051 including the undisturbed area. However, the company authorities informed that the felling of trees would be taken up in phases as per requirement.
- vii. Further, it has been mentioned in the SIR that the total number of trees in the proposed diversion area, enumerated as 1,07,051, is by sampling method taking about 10% of the total area for diversion. But there may be considerable variation between the said figure and actual no of trees involved in the proposal. This. may be due to error in location & shape of the samples. Also, the said enumeration has been done in pit area, external dump area and also undisturbed areas which does not give clear picture of actual no. of trees proposed to be felled. Therefore, it is advisable to take up total enumeration of the trees proposed for actual felling including area proposed for open cast mining and external dumping of overburden in the forest land) species and girth class wise to arrive at actual no. of felling of trees.
- viii. The Committee further observed that as per para 1.4(vi) of the Chapter of the consolidated guidelines dated 29.12.2023 the Species-wise and diameter class-wise abstract of trees to be felled should be furnished in the prescribed form. Total enumeration is necessary only up to 10 hectares. For larger areas, species-wise and diameter class-wise abstract of trees may be

computed either from the working plans or by standard sampling methods. Thus the sampling can be done for the larger areas, however it is important to ensure that the sampling is adequate enough to provide a true representation of the area.

- ix. The Regional Office has also mentioned in the SIR that there are two plantations already raised in the proposed area which are as follows:

Scheme	Area (Ha)	Raising Year	Compt No.
State Scheme (Tendu Patta)	150	2017	RF-291
CA for Nigahi Project of NCL	29	2019-2020	RF-293

- x. The land use reported in the Forest land as well as in the Non-Forest land is as under:

Component wise breakup			
S.no	Component	Forest Land(ha.)	Non-Forest Land(ha.)
1	Railway Siding	0.54	15.46
2	Rationalisation area	77.684	0
3	External Dump	183.75	166.51
4	Safety Zone	7.48	6.532
5	Pit/Internal Dump	538.463	776.899
6	Infrastructure + Settling pond	0	77.619
Total		807.917	1043.02

- xi. The Bandha Coal Block Forest diversion proposal is for Open Cast Coal Mining. Out of 13 Coal seams, Seam-VIII and Seam-VII are proposed for open-cast mining. The average thickness of Seam VIII is 1.85m and situated at a minimum depth of about 56 m and average thickness of the Seam VII is 12.30m and situated at a minimum depth of 90 m. The average grade of coal is G-10. Since, depth of the Seams are not very large and having huge reserve, it was found economical to extract the same by Open Cast method of mining as per approved mining plan. The target capacity of mining is 5 MTPA. The extractable reserve is about 197.00 million Tonnes, and hence the life of mine is about 45 years.
- xii. The safety zone of 7.5 meter inside the proposed diversion area boundary has been proposed all around the proposed diversion area. The total area of the safety zone is 14.012 ha (Forest area 7.48 ha and non-forest area-6.532 ha).
- xiii. The proposed forest land is having two important Nallah/ River tributary i.e. Bandha Nala which comes under the catchment of Sone River and Kachanmuda Nala of which water flows into Rihand Dam are flowing through the mining lease area. In this connection, the Nodal Officer, Govt. of Madhya Pradesh apprised that a scientific study on the Hydrological regime in the area has been carried out by the technical expert and the same is also approved by the Water Resource Department, Ganga Basin, Rewa of the

State Government of the Madhya Pradesh. Further, one major stream called Bandha was observed in compartment number RF-293, the same would remain undisturbed as no open cast mining is proposed in the area. However, the project authorities informed that a catch drain would be laid all along the periphery to collect the rain water and the same would be drained in Bandha stream.

- xiv. As per the Site inspection report of DFO, Singrauli and CCF Rewa, the Working plan prescription shows that compartment nos. RF-291, 292, 293 & 391 fall in Elephant Corridor. However, no movement of Elephants have been noticed in the last 10 years. The Working plan also prescribes, in case the diversion of the said area is essentially required, an alternative Elephant Corridor may be formed. The DFO and CCF have recommended the proposal on the condition of compliance of the above condition. However, as per enquiry with local forest staff the wildlife in the area include occasional movement of Leopards, Sloth Bear, Spotted Deer, Nilgai, Wild Pigs, etc.
- xv. The Compensatory Afforestation (CA) over an area of 808.5 ha Non-forest/ Revenue land have been proposed against diversion of 807.917 ha forest land. The CA sites are located in three districts namely Sagar, Katni & Agar Malwa.
- xvi. The Advisory Committee observed that the Regional Office has informed that CA has been proposed over 18 patches out of which 12 have been inspected by the Regional Office. Further it has been mentioned that in the Area: 70.13 ha; Village- Sadari; Khasra No.-379, 20 & 650, certain encroachments have taken place and about 7 to 8 houses have been constructed illegally in Khasra no. 379. Therefore, the project proponent should either evict the encroachment or propose a new non forest area for the CA. Further, a low voltage electric line has also been noticed in one of other patches. The Nodal Officer informed that the land will be handed over to the forest department free from all encumbrances prior to Stage-II approval.
- xvii. The Advisory Committee noticed that the Bandha Coal Mine shares its boundary on east with Amelia Coal Block by M/s THDC limited which is already in operation after Stage-II approval.
- xviii. The Committee also took a note that out of 807.917 ha proposed land, an external dump has been proposed over 183.75 ha forest land which covers approximately 22.74% area of the proposed forest land. In this connection, the DDGF (Central) Bhopal informed that the overburden would be dumped in 166.51 ha Non-forest area as well. In the areas where external dump is proposed, the depth of Coal seams are more than 280 meters which are proposed to be extracted by underground method of mining. The mention of the same has been made in the approved mining plan. Further, the areas where extraction of Coal is proposed to be taken up by open cast mining method, only two seams would be worked and the extraction of Coal in other deeper seams would be by underground method of mining as in forest.
- xix. It is observed that the part of the Mining lease is covering the existing Railway line wherein the Nodal Officer, Govt. of Madhya Pradesh clarified that no infrastructure would be developed or mining done by the Project authorities within 50 meters of the existing Railway line. Moreover, the coal evacuation is proposed through Railway Siding, SILO, Rapid Loading System and conveyor belt combination for which 0.54 ha forest land would be

required for the establishment of Railway related infrastructure over the Forest land for which the Detailed project report has been approved by the Railways.

- xx. Regional Office has informed that in an area of 31.94 ha in RF-291, cultivation was in practice and a small population was also found to be staying in their individual houses built there. In the forest stock map, the same area was marked as "ENCR". The exact status of the said land was under process of determination, jointly by the Forest and Revenue departments. In this connection, the Nodal officer, State Govt. of Madhya Pradesh informed that total 966 families are to be rehabilitated and a rehabilitation plan has already been approved by the competent authority of the State.

5. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Bhopal and Nodal Officer, FCA, Government of Madhya Pradesh. After going through the facts of the proposal and submissions made by the Nodal Officer, FCA, Government of Madhya Pradesh, the Committee deferred the proposal and asked the Regional Office Bhopal to examine the matter and submit the following information:

- i. The Regional Office has informed that the tree enumeration has been done by sampling method which may not give clear picture of actual no. of trees proposed to be felled. The guidelines issued by the Ministry do permit enumeration by sampling in areas over 10 ha, However, RO Bhopal shall re-examine the matter and ensure that the sampling is adequate and the number of trees arrived at is a true representation of the area.
- ii. The correct component wise KML files have not been submitted because the proposed land use details of the area are not matching with the KML file. The correct component wise KML file of the proposed diversion area shall be obtained by the Regional Office and submitted along with comments.
- iii. The Regional Office has informed in the SIR that the 31.94 ha in RF-291, cultivation was in practice and a small population was also found to be staying in their individual houses built there. In the forest stock map, the same area was marked as "ENCR". The exact status of the said land was under process of determination, jointly by the Forest and Revenue departments. The Regional Office Bhopal shall get the exact status of the said 31.94 ha area confirmed and inform whether the same has been included in the area proposed for diversion or not.
- iv. The proposal has been submitted for open cast mining, however it has been informed that the areas where external dump is proposed, the depth of Coal seams are more than 280 meters which are proposed to be extracted by underground method of mining. Further, the areas where extraction of Coal is proposed to be taken up by open cast mining method, only two seams would be worked and the extraction of Coal in other deeper seams would be by underground method of mining as in forest. In this regard the Regional Office shall confirm the details and extent of the area which is to be worked by underground mining and the area where open cast mining will be carried out. A detailed land use map commensurate with the mining plan and the

diversion proposal indicating underground mining and open cast mining areas shall be obtained and submitted along with comments.

- v. The Committee also took a note that out of 807.917 ha proposed land, an external dump has been proposed over 183.75 ha forest land which covers approximately 22.74% area of the proposed forest land. The Regional Office shall examine the matter and submit its comments.

Agenda No. 5

File No. 8-01/2022-FC

Subject: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 349.00 ha forest land for the construction of Sangatha (AER) Medium Irrigation Project by the Water Resources Division under Shivpuri District of Madhya Pradesh State (Online No. FP/MP/IRRIG/32935/2018) - regarding.

1. The agenda item was considered by the AC in its meeting held on 07.06.2024. The corresponding agenda note may be seen at www.parivesh.nic.in.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Dy. DGF (Central), RO, Bhopal and Nodal Officer, Government of Madhya Pradesh were present in the meeting during the discussion of the above proposal.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Madhya Pradesh vide their letter No. F-3/52/2018/10-11/15/368 dated 01.02.2022 forwarded a fresh proposal for diversion of 349.00 ha forest land for the construction of Sangatha (AER) Medium Irrigation Project by the Water Resources Division under Shivpuri District.
 - ii. The project is on river Aer which is a seasonal river having very little flow in the lean season. The main objective of the project is irrigation through lift irrigation system. The command area is 4630 ha. The area is mostly dry with low annual rainfall and hence the project would benefit the local farmers in Agriculture thereby raising their economic status.
 - iii. The total catchment area of the project is 3,8100 ha and being an irrigation project the cost benefit ratio of the project is 1:1.10.
 - iv. The proposed 349 ha forest land falling in the Forest Compartment No RF 289, 290, 291, 292, 293 & PF 1074, 1075, 1076, 1077 and PF 1103 under Shivpuri (T) Forest Division is

having Eco-class 0.3 forest type with canopy density as 0.3. Further, 3204 number of trees are to be affected in the present project.

- v. Out of 349 ha proposed forest land, 346 ha forest is required for submergence area. The component wise details of forest as well as Non-Forest land involved in the project is as follows:

S. No.	Component	Forest Land (ha)	Non-Forest Land(ha)
1	Canal	0.75	0.21
2	Submergence area	346.35	8.68
3	Pump house/Intake well	1.48	0
4	Hose tank	0.17	0
5	Saddle Dam	0.25	0
	Total	349	8.89

- vi. Encroachment of certain patches of proposed forestland for diversion has been noticed as per results of DSS analysis and its overlay on Sattelite imageries. The Nodal Officer, Department of Forest, Madhya Pradesh clarified that total 8.613 ha forest land was allotted to 31 lease holder (पट्टाधारक) and the same would be acquired preferably through direct negotiations or under the provision of RFCT LRR 2013.
- vii. The DGF(Central), RO, Bhopal apprised that the earthen dam with concrete spillway is proposed between two hillocks on the river Aer. On the right side of the Dam it is attached to Pichora range and on the left side it is attached to Karera range and the impounded water would help recharge of ground water in the surrounding area and also boost fish production, thereby boosting the local economy of the area. The water would also be utilized in supply of drinking water to the surrounding villagers.
- viii. The proposed forest land is not part of any wildlife sanctuary, National park, Tiger reserve and corridor and the nearest Protected area i.e. Madhav National Park is located at a distance of 19.40 Km.
- ix. The Compensatory Afforestation (CA) has been proposed over 367.22 ha Non-forest land out which 355.554 ha is suitable for carrying out plantation work and balance 11.67 ha Non-forest land is un-suitable for planation due to existing root stock and sporadic rocks outcrop, therefore plantation can be taken at the rate of 600 plants per ha. The rest of the plants have been proposed to be planted in the 226.624 ha Degraded forest land.
- x. The forest land proposed for diversion is mainly for the submergence as per submitted land use plan with the forest diversion proposal. It has been noted that due to variance in rainfall and full reservoir level (FRL) designed for a flood frequency 100 years, lot of rim portion land of reservoir remains non-submerged for longer durations and are prone to encroachment for agriculture purposes in most of the irrigation or power projects. The result of such encroachment acts for further siltation of reservoir as well as further encroachment in nearby forest areas. The committee deliberated for working out a mechanism for protecting rim

of reservoir along with fringe forest through taking up afforestation and suitable physical fencing.

- xi. The complete tree enumeration was done of the proposed diversion area under submergence in the year 2020 and total number of trees enumerated were 3204/The water from the river would be lifted by pumps and supplied to command area through underground pipeline. Therefore, for establishing pump house 1.48 ha, for laying underground pipeline/ 0.75 ha and for Hose tank 0.17 ha, diversion of forest land has been proposed. There is no habitation in the proposed diversion area, hence there is no rehabilitation proposal.
- xii. The State Govt. has mentioned that out of 367.22 hectares of land allotted for non-forest land, 11.67 hectares of land is not suitable due to it being rocky and it is not possible to plant 1000 saplings per hectare in the non-forest land obtained for compensatory afforestation under the project. For this reason, 1,64,814 saplings will be planted on the non-forest land obtained and the remaining 1,90,632 saplings will be planted in the degraded forest area.
- xiii. The Compensatory Afforestation has been proposed over Non-forest/ Revenue land. The Site Inspection report of Regional Office mentions that CA has been proposed over 362.624 ha and as per state the area for proposed CA is 367.22 ha out which 354 ha is suitable for plantation against the proposed diversion of 349 ha. The Govt. of Madhya Pradesh has also identified the Degraded forest patches for accommodating the balance plants.
- xiv. The Regional Office has inspected some areas proposed for Compensatory Afforestation and reported that these areas are suitable for raising CA with strong protection measures all around. The plantation should be taken up with the local species such as *Azadirachta indica*, *Holoptelia integrifolia*, *Dalbergia sissoo*, *Pithecellobium dulce*, *Feronia elephantum*, *Gmelina arborea*, *Terminalia bellirica*, *Acacia catechu*, *Ficus religiosa*, *Ficus benghalensis*, *Ficus racemosa*, *Tectona grandis*, etc.
- xv. The committee observed that the proposed dam is situated mostly in outside the forest area except 0.25 ha. Most of the proposed diversion area i.e. 346.35 ha would be coming under submergence. These areas are mostly on the foothills of the hillocks on the either side of the river.
- xvi. The Regional Office in the SIR has mentioned that the wildlife in the area is as per Column 5 in his report which includes Golden Jackal, Hyena, Hanuman Langoor, Nilgai, Chital, Crocodile etc. Further, it has been mentioned that, it was informed that a number of crocodiles are inhabiting the river. The Committee observed that there is a need to take appropriate mitigation measures in this regard.

5. Decision of the Advisory Committee: The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO Bhopal and Nodal Officer, FCA, Government of Madhya Pradesh. After going through the facts of the proposal and submissions made by the Nodal Officer, FCA, Government of Madhya Pradesh, the Committee recommended the proposal for diversion of 349 ha forest land for the construction of Sangatha (AER) Medium Irrigation Project with general, standard

and following specific conditions:

- i. A Plan for Conservation of Wildlife shall be prepared by the user agency in consultation with the forest department which shall be approved by the Chief Wildlife Warden. The plan so approved is to be implemented at the cost of the user agency.
- ii. User agency shall maintain minimum required environmental flow in the river downstream.
- iii. The User agency shall prepare a proper irrigation schedule and ensure equitable distribution of water from the project.

Agenda No. 6

File No. 6-MPR015/2023-BHO

Subject: Diversion of 244.039 ha (237.385 ha Dhar & 6.654 ha Alirajpur Forest Division) Reserved Forest land for construction of Chhotaudepur to Dhar New Broad Gauge Railway line in favour of Dy. Chief Engineer (Construction-II) Western Railway in Dhar & Alirajpur Districts of Madhya Pradesh (Online No. FP/MP/RAIL/154962/2022)- regarding.

1. The agenda item was considered by the AC in its meeting held on 07.06.2024. The corresponding agenda note may be seen at www.parivesh.nic.in.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Dy. DGF (Central), RO, Bhopal and Nodal Officer, Government of Madhya Pradesh were present in the meeting during the discussion of the above proposal.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Madhya Pradesh vide their letter no. F-5/1259/2023/10-11/1712 dated 27.04.2023 has forwarded the proposal on the above cited subject to obtain prior approval of the Central Government, in terms of the Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 to the Regional Office, Bhopal.
 - ii. The proposal involves ex-post facto approval due to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as the user agency has done violation over an area of 4.5 ha.
 - iii. The State Government has reported that the project does not involve displacement of people.
 - iv. The Site Inspection Report carried out by the Divisional Forest Officer, Dhar(T) and Divisional Forest Officer, Alirajpur are submitted with the proposal wherein the proposal is recommended. Density of vegetation has been given as 0.4 Eco Class-3 with 11255 project affected trees.
 - v. Compensatory afforestation has been proposed over 489.00 ha of degraded forest land in lieu of 244.039 ha of forest land proposed to be diverted.

- vi. The Advisory Committee observed that the proposal was earlier considered in REC meeting of RO, Bhopal held on 29.01.2024 and 16.04.2024 wherein the committee was informed that

The forest area of 6.654 ha which is equivalent to 1.193 km is alleged to be under violation of FCA, 1980. The aforesaid area of 6.654 ha was claimed by the revenue authorities under their ownership as per their land records and based on the available records the acquisition was carried out by the Railway Department in the Office of DC, Alirajpur in January, 2017. The subject land was awarded to the Railway with award value of Rs 42,54,371.00 in January, 2018. The award amount was paid to the revenue authorities for disbursement in the year, 2019. In March, 2018 the concerned Range Officer (RO) was asked to submit the evaluation of trees which was submitted by the concerned RO for an amount of Rs 4,57,696.00 for available 1010 trees in the subject area. It was noted by the committee that at the time the evaluation was done by the concerned RO, the status of the land should have been checked. Later on, when the forest proposal was initiated under the provision of FCA, 1980 for remaining forest land, this fact was realised that the 6.654 ha area also belongs to the Forest Department and the same was included in the proposal. The REC is of a view that non-reconciliation of the land records between forest and revenue departments, resulted in the violation of FCA, 1980. This is negligence of concerned officials from the revenue as well as the forest department for not being able to cease the violation in time. The committee desired, the concerned DFO to submit detailed action taken report under the provision of FCA, 1980 for the alleged violation. It was informed by the State Govt that officers/employees found guilty by the DFO, Alirajpur for not being able to prevent the violation of FCA, 1980 were punished with "Minor Censure". The action under the provision of 3A/3B has not been initiated yet.

REC being aware of the fact that this proposal has a large public interest and it cannot be kept pending for decision for long, irrespective of the fact that the concerned DFO is delaying the action taken report under the provision of 3A/3B of the FCA, 1980.

Therefore, REC decided that the proposal can be recommended and that the concerned DFO shall initiate action against the concerned officials from the Revenue as well as the Forest Department prima-facie found guilty of offense under the Adhinyam or the violation of the rules made thereunder, in the court having jurisdiction in the matter".

- vii. The Advisory Committee observed that the REC of RO, Bhopal has decided to recommend the proposal for forwarding it to MoEF&CC, New Delhi for 6-MPR015/2023-BHO I/73206/2024 diversion of 244.039 ha (237.385 ha Dhar & 6.654 ha Alirajpur Forest Division) Reserved Forest land for construction of

Chhotaudepur to Dhar New Broad Gauge Railway line in favour of Dy. Chief Engineer (Construction-II) Western Railway in Dhar & Alirajpur Districts of Madhya Pradesh subject to following conditions:

- a. *The concerned DFO shall initiate action against the concerned officials for violation of the provisions of the said Adhinyam and, file complaints against such person or authority or organization, prima-facie found guilty of offence under the Adhinyam or the violation of the rules made thereunder, in the court having jurisdiction in the matter.*
 - b. *Also, advisory shall be issued to the concerned forest officials for not being able to prevent use of forest land for non-forestry purpose.*
- viii. The Advisory Committee observed that the Compensatory afforestation has been proposed over 489.00 ha of degraded forest land in lieu of 244.039 ha of forest land proposed to be diverted. Also as per the online Part-I it has been reported that the project does not involve acquisition of non-forest land. However as per Rule 13 of Van (Sanrakshan Evam Samvardhan) Rules, 2023 it has been mentioned that user agency shall provide land which is neither notified as forest under the Indian Forest Act, 1927 (16 of 1927) or any other law nor managed as forest by the Forest Department. Provided also in exceptional circumstances when the suitable land required for compensatory afforestation under this clause is not available and the certificate to this effect is given by the State Government or Union territory Administration, as the case may be, the compensatory afforestation may be considered on degraded forest land which is twice in extent to the area proposed to be diverted in case of the Central Government agencies or Central Public Sector Undertakings on case to case basis.
- ix. The Advisory Committee observed that the project does not involve acquisition of non-forest land. However, the dispensation of allowing CA on degraded forest land for compensatory afforestation in such cases is only in exceptional circumstances. It was observed that there is no justification to consider the instant proposal as an exception in the matter. The State government therefore needs to provide alternative land as per the provisions in the Rules.
- x. The Regional Office has conducted the site inspection in the instant case wherein it has been mentioned that it was learnt from Railway officials that there is one Railway Station proposed to be constructed in the proposed diversion area at Jamanya in Forest Compartment No. 81 & 88 of Tanda Range of Dhar Forest Division. Regarding the same, there is no mention in the proposal. Therefore, the State Govt. of MP needs to submit the layout plan of the proposed Railway Station at Jamanya. The layout plan was later submitted, however the total area involved in the railway station is not clear.
- xi. As per DSS analysis, it has been reported that Sardarpur wildlife sanctuary is located at a distance of 8.82 Km from the proposed forest and as per the Satellite imagery revealed that the user agency has already broken the proposed forest land for the establishment of Railway line without obtaining approval under the Van (Sanrakshan evam Samvardhan) Adhinyam, 1980.
5. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Bhopal and

Nodal Office, Government of Madhya Pradesh. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Madhya Pradesh, the Committee recommended for diversion of 244.039 ha (237.385 ha Dhar & 6.654 ha Alirajpur Forest Division) Reserved Forest land for construction of Chhotaudepur to Dhar New Broad Gauge Railway line in favour of Dy. Chief Engineer (ConstructionII) Western Railway in Dhar & Alirajpur Districts of Madhya Pradesh with general, standard and following specific conditions:

- i. The penalty for violation shall be five times the NPV for the area used in violation plus 12% simple interest from the date of raising of such demand till the deposit is made.
- ii. The State shall initiate action under section 3A and /or 3B of Van (Sanrakshan Evam Samvardhan) Adhiniyam,1980 as may be applicable for violation of the provisions of the said Adhiniyam against such person or authority or organization, prima-facie found responsible for the violation.
- iii. As per the provisions contained in the Van (Sanrakshan Evam Samvardhan) Rules,2023, the Compensatory Afforestation cannot be allowed on degraded forest land in the instant case. The state shall therefore identify alternative land for CA as per the provisions of extant Rules. The said land shall be transferred and mutated in the name of the forest department and notified as protected forest under the provisions of Indian Forest Act, 1927 or the State specific laws.
- iv. Detailed Animal Passage and mitigation plan shall be prepared in consultation with the Chief Wildlife warden and the same shall be implemented at the cost of the user agency.
- v. The State shall submit the detailed bifurcation of the area involved in the Railway Station and Railway line. A certificate that only 244.039 ha area is required for the project shall also be submitted.

Agenda No. 7

File No. 6-MPB031/2022-BHO

Subject: Diversion of 3.20 ha (earlier proposed-4.138 ha) Reserved Forest land for construction and widening of Indore to Edlabad NH 347 BG & 753 L, 4- lanning road (Dhangaon to Borgaon Section) in favour of Project Director, National Highway Authority of India Limited in Khargone District of Madhya Pradesh (Online No. FP/MP/ROAD/152561/2022)- regarding.

1. The agenda item was considered by the AC in its meeting held on 07.06.2024. The corresponding agenda note may be seen at www.parivesh.nic.in.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Dy. DGF (Central), RO, Bhopal and Nodal Officer, Government of Madhya Pradesh were present in the meeting during the discussion of the

above proposal.

4. While deliberating on the proposal, AC observed that:
 - i. The Government of Madhya Pradesh vide their letter no. F-5/1161/2022/10-11/3208 dated 19.09.2022 has forwarded the proposal on the above cited subject to obtain prior approval of the Central Government, in terms of the Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 to the Regional Office, Bhopal.
 - ii. The proposal involves ex-post facto approval as the State Government has reported that there is violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The violation has been done over an area of 3.199 ha. User Agency i.e. NHA PIU Khandwa has started work without taking permission of Forest Department.
 - iii. Initially the proposal was submitted for diversion of 4.138 ha area. During the scrutiny it was found that a building was found to be constructed on the proposed route. Thereafter the State revised the proposal and deleted the 0.938 ha area from the proposal. It was also informed that a proposal no. FP/MP/ROAD/433187/2023 for diversion of 0.377 ha area was separately submitted and the same has been accorded vide letter dated 19.01.2024.
 - iv. The State Government has reported that the project does not involve displacement of people. Also the Muck Disposal Plan has been prepared and submitted along with proposal.
 - v. The Site Inspection Report carried out by the Divisional Forest Officer, Barwah(T) and Divisional Forest Officer, Khandwa(T) are submitted with the proposal wherein the proposal is recommended. Density of vegetation has been given as 0.2 Eco Class-5 with 64 project affected trees.
 - vi. Compensatory afforestation has been proposed over 8.50 ha of double degraded forest land identified under Khargone and Khandwa districts of Madhya Pradesh in lieu of 3.20 ha of forest land proposed to be diverted.
 - vii. The Advisory Committee observed that the proposal was earlier considered in REC meeting of RO, Bhopal held on 16.04.2024 wherein the committee decided to recommend the proposal to Ministry for further necessary action with following specific conditions:
 - a. *Penal NPV shall be deposited by User Agency in accordance with clause 1.16(ii) of guidelines.*
 - b. *The non-reconciliation of the land records between forest and revenue departments has resulted in the violation of FCA, 1980. The State Govt should correct such discrepancies in available land records concerned with the revenue (government) as well as forest land so that such violations do not happen in near future.*
 - viii. The Advisory Committee observed that the Compensatory afforestation has been proposed over 8.50 ha of double degraded forest land identified under Khargone and Khandwa districts of Madhya Pradesh in lieu of 3.20 ha of forest land proposed to be diverted. Also as per the online Part-I it has been reported that the project does not involve acquisition of non-forest land. However as per Rule 13 of Van (Sanrakshan Evam Samvardhan) Rules, 2023 it has been mentioned that user agency shall provide land which is neither notified as forest under the Indian Forest Act, 1927 (16 of 1927) or

any other law nor managed as forest by the Forest Department. Provided also in exceptional circumstances when the suitable land required for compensatory afforestation under this clause is not available and the certificate to this effect is given by the State Government or Union territory Administration, as the case may be, the compensatory afforestation may be considered on degraded forest land which is twice in extent to the area proposed to be diverted in case of the Central Government agencies or Central Public Sector Undertakings on case to case basis.

- ix. The Advisory Committee observed that the project does not involve acquisition of non-forest land. However, the dispensation of allowing CA on degraded forest land for compensatory afforestation in such cases is only in exceptional circumstances. It was observed that there is no justification to consider the instant proposal as an exception in the matter. The State government therefore needs to provide alternative land as per the provisions in the Rules.
- x. The Advisory Committee observed that the proposal involves ex-post facto approval due to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and as per the Satellite imagery the construction & widening work in the proposed forest land has been started after the date 17/04/2021 and as per the latest satellite imagery dated 20/12/2022 the construction & widening of Road has been completed in the 3.20 ha forest land proposed for diversion.
- xi. The Rule 10(4) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, states that Site inspection report shall be prepared for proposals specified in sub-rule (2) by the Regional Office and shall be submitted to Central Government for consideration by the Advisory Committee. The SIR has not been submitted, however the proposal has been received from the Regional Office through REC. The same was recommended by the Regional Officer during the meeting of the Advisory Committee and accordingly it was decided not to insist for site inspection at this stage.

5. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Bhopal and Nodal Office, Government of Madhya Pradesh. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Madhya Pradesh, the Committee recommended the proposal for diversion of 3.20 ha (earlier proposed-4.138 ha) Reserved Forest land for construction and widening of Indore to Edlabad NH 347 BG & 753 L, 4- laning road (Dhangaon to Borgaon Section) in favour of Project Director, National Highway Authority of India Limited in Khargone District of Madhya Pradesh with general, standard and following specific conditions:

- i. The penalty for violation shall be five times the NPV for the area used in violation plus 12% simple interest from the date of raising of such demand till the deposit is made.
- ii. The work for the construction of road has been started without the prior approval of the Central Govt., therefore, the State shall initiate action under section 3A and /or 3B of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as may be applicable for violation of the provisions of the said Adhiniyam against such person or authority or organization, prima-facie found responsible for the violation.

- iii. As per the provisions contained in the Van (Sanrakshan Evam Samvardhan) Rules, 2023, the Compensatory Afforestation cannot be allowed on degraded forest land in the instant case. The state shall therefore identify alternative land for CA as per the provisions of extant Rules. The said land shall be transferred and mutated in the name of the forest department and notified as protected forest under the provisions of Indian Forest Act, 1927 or the State specific laws.
- iv. Detailed Animal Passage and mitigation plan shall be prepared in consultation with the Chief Wildlife warden and the same shall be implemented at the cost of the user agency.
- v. Initially the proposal was submitted for diversion of 4.138 ha area. During the scrutiny it was found that a building was found to be constructed on the proposed route. Thereafter the State revised the proposal and deleted the 0.938 ha area from the proposal. The State shall examine the matter and initiate action under section 3A and /or 3B of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 as may be applicable for violation of the provisions of the said Adhinyam against such person or authority or organization, prima-facie found responsible for the violation.

Agenda No. 8

File No. FC-II/MH-227/2023-NGP

Subject: Diversion of 10.3391 ha Forest land in favour of MSETCL Thane, for construction of 220 KV LILO M/C Transmission Line on 220 KV Tarapur-Borivali and Boisar-Ghodbunder Transmission Line for 400 KM Kudus substation passing through Thane District in the State of Maharashtra (Online No. FP/MH/TRANS/48321/2020)- regarding.

1. The agenda item was considered by the AC in its meeting held on 07.06.2024. The corresponding agenda note may be seen at www.parivesh.nic.in.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Dy. DGF (Central), RO, Nagpur and Nodal Officer, Government of Maharashtra were present in the meeting during the discussion of the above proposal.
4. While deliberating on the proposal, AC observed that:
 - a. Details of violation(s): Basement for Tower
 - b. Period of Work done(year): 2019
 - c. Area of forest land involved in violation (in ha.): 0.0734
 - a. *Status of POR booked against User Agency for violation of FCA, 1980 along with Complete Violation report shall be submitted to the Regional Office, Nagpur.*
 - b. *The DCF should ensure and check the CA areas and certify that it is free from any encroachment.*

- c. *State Government shall submit comments from Chief Wildlife Warden, Maharashtra on the importance of area from wildlife point of view and conservation/ mitigative measures, if any required to the Regional Office, Nagpur.*
- d. *The alignment of the proposed forest area for diversion is not shown with overlapping forest compartment boundaries.*
- i. The Government of Maharashtra vide their letter no. FLD-1223/CR-63/F-10 dated 01.09.2023 has forwarded a fresh proposal on the above cited subject to obtain prior approval of the Central Government, in terms of the Section-2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 to the Regional Office, Nagpur.
- ii. The State Government has reported that there is violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. DCF, Dahanu has mentioned in violation report that violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 has been done over an area of 0.0734 ha. Certificate to this effect has been submitted by DCF concerned. Further, DCF, Dahanu has mentioned in violation note that Round Officer, Bhatane has booked POR vide no. RA.GU.No. 09/E/2021-22 dated 07.10.2021 against User Agency. Further it is mentioned in violation report that User Agency has constructed basement for towers without taking permission of Forest Department. CCF, Thane has recommended the proposal subject to departmental action to be taken against the responsible officer and penalty to be levied by RO office:
- iii. The proposal involves ex-post facto approval due to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and the proposal has been forwarded by the REC and submitted for further consideration of the proposal as per the provision of sub rule 10 (2) (v) of the Van (Sanrakshan Evam Samvardhan) Rules 2023.
- iv. The State Government has reported that the project does not involve displacement of people.
- v. The Site Inspection Report carried out by the Divisional Forest Officer, Jawhar and Divisional Forest Officer, Dahanu are submitted with the proposal wherein the proposal is recommended. Density of vegetation has been given as 0.4 Eco Class-I with 1125 project affected trees.
- vi. Compensatory afforestation has been proposed over 21.00 ha of double degraded forest land identified under Nanded districts in Maharashtra in lieu of 10.3391 ha of forest land proposed to be diverted in Compt. no. 404, Survey/Gut no. 47 at Village- Dorli, Taluka- Bhokar, District- Nanded. Suitability certificate has been submitted by DCF concerned. As per Rule 13 (4) of Van (Sanrakshan Evam Samvardhan) Rules, the special dispensation for raising Compensatory Afforestation over degraded forest land minimum double in extent can be considered in respect of transmission line projects.
- vii. The State Government has reported that there is violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The violation has been done over an area of 0.0734 ha. User Agency has constructed basement for towers without taking permission of Forest Department. CCF, Thane has recommended the proposal subject to departmental action to be taken against the responsible officer and penalty to be

- levied by RO office.
- viii. The State Govt. reported that the area proposed for diversion is 4.010 Km from ESZ of Tungareshwar Wildlife Sanctuary, the Eco-Sensitive Zone of Tungareshwar Wildlife Sanctuary varies from 100 meters to 4.0 Km. Further, the line is 8.033 Km from Tansa Wildlife Sanctuary, ESZ of Tansa Wildlife Sanctuary is not finalized and ESZ of Tansa Wildlife Sanctuary is deemed to be 10 Km.
 - ix. However as per DSS analysis, it has been reported that Tansa wildlife sanctuary is located at a distance of 5.58 Km from the proposed forest land for diversion and Satellite imagery revealed that the user agency has already established Transmission line within proposed forest land and without obtaining approval under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
 - x. The Advisory Committee observed that the proposal was earlier considered in REC meeting of RO, Nagpur on 30.10.2023 wherein the Committee deferred the proposal due to want of following information from the State Government:
 - xi. The same was communicated to the State Government vide RO, Nagpur letter dated 24.11.2023. In this reference, the State Government vide letter dated 15.04.2024 has submitted the information wherein the State Govt. has submitted the detailed violation report along with the certificate of Encroachment free area of Compensatory afforestation submitted by Deputy Conservator of Forests, Nanded.
 - xii. The Principal Chief Conservator of (Wildlife), Maharashtra State vide office note No. D-23(2)/Survey/C.N.301(Nodal)/109, dated 08.04.2024 has submitted comments wherein it has been mentioned that as the original proposed project is passing through the eco sensitive zone of various wildlife sanctuaries and protected areas the agency has to submit a wildlife conservation plan as per the prescribed guidelines of Government of India.
 - xiii. The proposal along with the additional information submitted by the State Forest Department was again placed before the REC meeting of RO, Nagpur held on 24.04.2024 wherein the committee noted that the proposal involves works in violation of Adhiniyam over an area of 0.0734 ha. The Chairman apprised the committee that as per the provision of sub rule 10 (2) (v) of the Van (Sanrakshan Evam Samvardhan) Rules 2023, the competent authority to deal such violation cases is the MoEF&CC, New Delhi. Further, the Chairman apprised to the Committee that, the instant case was initiated in the year 2020 and also placed before REC in the past also, hence, instead of returning the file back to the State Government at this juncture may not be appropriate and it may cause further delay in processing of the FC proposal. After detailed deliberation, the REC agreed to that above facts and in spirit of the Ministry Guideline No. FC-11/118/2021-FC dated 27.12.2023, the Committee decided to forward the proposal to the Ministry New Delhi for further consideration of the proposal as per the provision of sub rule 10 (2) (v) of the Van (Sanrakshan Evam Samvardhan) Rules 2023.
 - xiv. The proposal was examined by the Dy. DGF (C), RO, Nagpur and

based on the Ministry's Guideline No FC-11/118/2021-FC dated 27.12.2023, the instant proposal was submitted to the Ministry, New Delhi for further consideration as it involves violation.

- xv. The Rule 10(4) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, states that Site inspection report shall be prepared for proposals specified in sub-rule (2) by the Regional Office and shall be submitted to Central Government for consideration by the Advisory Committee. The SIR has not been submitted, however the proposal has been received from the Regional Office through REC. The same was recommended by the Regional Officer during the meeting of the Advisory Committee and accordingly it was decided not to insist for site inspection at this stage.
 - xvi. The Advisory Committee observed that the proposal involves ex-post facto approval due to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as the satellite imagery revealed that the user agency has already established Transmission line within proposed forest land and without obtaining approval under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
 - xvii. The Advisory Committee observed that as per DSS analysis, it has been reported that Tansa wildlife sanctuary is located at a distance of 5.58 Km from the proposed forest land for diversion.
5. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Nagpur and Nodal Officer, Government of Maharashtra. After going through the facts of the proposal and submissions made by the Nodal Officer, Government of Maharashtra, the Committee recommended the proposal diversion of 10.3391 ha Forest land in favour of MSETCL Thane, for construction of 220 KV LILO M/C Transmission Line on 220 KV Tarapur-Borivali and Boisar-Ghodbunder Transmission Line for 400 KM Kudus substation passing through Thane District in the State of Maharashtra with general, standard and following specific conditions:
- i. The penalty for violation shall be five times the NPV for the area used in violation plus 12% simple interest from the date of raising of such demand till the deposit is made.
 - ii. The State shall initiate action under section 3A and /or 3B of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as may be applicable for violation of the provisions of the said Adhiniyam against such person or authority or organization, prima-facie found responsible for the violation.
 - iii. A Plan for Conservation of Wildlife shall be prepared by the user agency in consultation with the forest department, which shall be approved by the Chief Wildlife Warden. The plan so approved shall be implemented at the cost of user agency.

Agenda No. 9

File No. 8-37/2022-FC

Subject: Proposal for the non-forest use of 455.1108 ha of forest land for Pachwara South Coal Block project in favour of M/s Neyveli Uttar Pradsh Power Ltd. (NUPPL), District Dumka, Jharkhand (Online No.

P/JH/MIN/59823/2020) – regarding.

1. The agenda item was considered by the AC in its meeting held on 07.06.2024. The corresponding agenda note may be seen at www.parivesh.nic.in.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Dy. DGF (Central), RO, Ranchi and Nodal Officer, Government of Jharkhand attended the meeting.
4. While deliberating on the proposal, AC observed that:
 - i. The Government of Jharkhand vide their letter No. Van Bhumi-19/2022-3464 V.P. dated 29.11.2022 submitted a proposal seeking prior approval of Central Government under Section 2 of Forest (Conservation) Act, 1980 for the non-forest use of 455.1108 ha of forest land for Pachwara South Coal Block project in favour of M/s Neyveli Uttar Pradesh Power Ltd. (NUPPL), Jharkhand.
 - ii. Legal Status of Forest land involved is 455.1108 ha Reserved forest (Sec-4 of IFA) and the density of the proposed area is 0.7 having Eco class 3.
 - iii. Density of vegetation has been given as 0.7 with 91,564 project affected trees comprising of 74736 trees of below 60 cm girth and 16,828 trees above 60 cm girth. As per DSS analysis, out of total forest area of 455.1108 ha, 204 ha is classified as Medium Dense Forest, 72 as Open Forest and 180 as non-wooded land.
 - iv. Compensatory afforestation has been proposed over 910.23 ha of double degraded forest land identified under Dumka, Devghar and Sahibganj districts in Jharkhand in lieu of 455.1108 ha of forest land proposed to be diverted.
 - v. The Pachwara South Coal Block has been allotted to NUPPL vide Allotment Order No 13016/26/2044-CA-I/CA-III(Pt) Vol.II) dated 3.10.2016 by the Ministry of Coal. Pachwara South Coal Block falls into the Rajmahal Coalfield. Coal from the Pachwara South Coal Block is proposed to be used for captive purpose i.e. linked to Ghatampur Thermal Power Plant of 1980 MW capacity. Coal based TPP is being set by the Neyveli Uttar Pradesh Power Ltd. Which is a joint venture company of NLC India Ltd (Central PSU) and Uttar Pradesh Rajya Vidyut Utpadan Nigam Limited (Govt of UP PSE). Total lease area of the Coal Mining Project is 715 ha comprising of 455.1108 ha of forest land and 259.7445 ha of non-forest land. The land has been acquired under the CBA, 1957.
 - vi. The prospecting in the forest Block has been carried out by the user agency. Permission for prospecting was granted by the RO, Ranchi on 23.07.2019 and transportation of Coal from the Pachwara Coal mine has been proposed through conveyor belt to nearest Railway siding named Pachwara Railway Siding. Till construction of conveyor belt is completed the transportation will be undertaken through road.
 - vii. The state has informed that the transportation of coal through conveyor belt

will start in the 7th year of coal production phase. It is proposed to construct an overhead conveyor up to railway siding in Pachwara village, after crossing the Pachwara Central Coal Block. The conveyor will cover the areas of 2 coal blocks. Pachwara South, Pachwara central Land schedules of Pachwara South Coal Block is already approved and submitted in Form I, showing the forest land details. But the forest land of Pachwara Central is not under the jurisdiction of M/s NUPPL. Hence, details of the forest land falling in this block cannot be included in the extant proposal.

- viii. Further, for transportation of coal from the 3 coal blocks- Pachwara Central, Pachwara North and Pachwara South a Special Purpose vehicle (SPV) is formed. It will be jointly run by 3 coal block and State Government will act as the fourth member of this joint venture. Therefore, a separate land schedule as a whole will be prepared including the construction of the overhead conveyor belt as well.
- ix. The Mining plan along with Mine Closure Plan has been approved by the Ministry of Coal vide their letter no. 34011/2/2020-MPS dated 11.11.2020 for an area of 715 ha with capacity of 13.5 MTPA for a period of 38 years.
- x. The analysis of the area proposed for diversion, using DSS tools, revealed occurrence of road in the area proposed for diversion and the State Govt. has informed that the said road connects the three villages namely Mahuldabar, Kundapahari and Chirudih and are under active consideration for resettlement and within the leasehold area of Pachwara South Coal Block (PSCB). These villages will be resettled in due course of the mining operations of Pachwara South Coal block. Project proponent has proposed a diversion road from the western part of mine boundary, moving along the northern boundary and will connect the eastern most part of the block in Chirudih village.
- xi. The CF, Dumka in his inspection report has mentioned that proposed area, situated at the North Eastern Boundary of Dumka Forest Division, is a connecting link between Dumka and Pakur Forest Division. The landscape provides connectivity to wildlife habitats and maintains rich biodiversity. It is mentioned that the proposed area is a path for wildlife movement including Elephant from Dumka to Pakur and Godda. The landscape is also significant in terms of hydrological functions since Bansloi river is called lifeline flows in the area. Proposed mining site is located just on the right bank of Bansloi River. On the left bank of Bansloi River, two other coal blocks viz Pachwara North and Pachwara Central are operation. Proposed diversion will further lead to the fragmentation of wildlife habitat. CCF in his inspection report among other facts, mentioned the following:
 - a. Area is visited by wild elephants and there has been incidences of human-wildlife conflicts.
 - b. Proposed project will lead to further fragmentation of wildlife habitat.
 - c. Project will have adverse impact on the general ecosystem, water regime, and soil conditions.
 - d. Many mining operations in the area have started merely on the basis of undertakings without implementation of Wildlife Conservation Plan/Biodiversity Conservation Plan/Soil Conservation Plan
 - e. CCF has recommended the proposal subject to certain strict compliance of

mitigating measures suggested therein.

- xii. The PCCF & Nodal Officer (FCA) recommended the proposal inter-alia subject to fulfilment of general and standard and following specific conditions:
 - a. Development of in-house capacity for sustaining the eco-restoration activities with qualitative assurance over the entire project period.
 - b. Period of diversion will be 30 years.
 - c. A site specific wildlife management plan of a radius of 10 km from the proposed lease area at the project cost will be prepared. Besides this, migration path for elephant's passage if present beyond 10 km then such migration route shall be developed with plantation of suitable species at the project cost.
 - d. User agency shall prepare a Digital Elevation Model of 10 Km radius using LIDAR technology before commencement of mining operation and shall be repeated on 3rd, 5th, 10th, 15th, 20th, 25th and 30th year in consultation with the PCCF. On the basis of DEM user agency shall prepare a CAT and SMC plan of 10 km radius including Chatua nala other nearby nalas. These plans will be approved by the PCCF (HoFF) and will be implemented by the Forest Department at the project cost. A team, to be finalized by the PCCF, comprising of officials of user agency, Forest Department subject matter specialist shall be constituted to study and monitor the soil erosion, water conservation, ecological restoration activities during the implementation of the project.
 - e. Water security plan prepared by the group of experts shall be adhered to.
- xiii. The PCCF Wildlife in his comments dated 4.08.2022 has concurred the observations of DFO and CF and inter-alia recommended the following:
 - a. A comprehensive Regional Wildlife Management Plan should be prepared after carrying put detailed inspection of the area by experts to mitigate the adverse impact of mining activities on the biodiversity and ecology.
 - b. A comprehensive Site Specific Wildlife Management Plan, which should be part of Integrated Regional Wildlife Management Plan should be prepared by the user agency and implemented in a time bound manner at project cost.
 - c. An assessment of likely impact of the project on the ecology, flora and fauna should be undertaken by the subject matter experts based on the collection of data on flora and fauna of the area at the landscape at the project cost so that data pertaining to endangered species of the State can be generated and maintained for better mitigating measures.
 - d. To minimise the wildlife-human conflicts, the user agency should cooperate the State Forest Department in social welfare initiative.
- xiv. The Regional Office, Ranchi in its Site Inspection Report has reported that a Comprehensive Bansloi River Catchment Area Treatment Plan with Soil & moisture conservation measures in the watershed to ensure water –security as well as eco- restoration during & post project period may be considered as part of the proposed project. Similarly, a comprehensive Wildlife Management Plan well before commencement of mining operations which should have provision for continuous study to decide about the impact of

mining on biodiversity indices of the region during project period should also be an indispensable part of the project.

- xv. The Mining plan along with Mine Closure Plan has been approved by the Ministry of Coal vide their letter no. 34011/2/2020-MPS dated 11.11.2020 for an area of 715 ha with capacity of 13.5 MTPA for a period of 38 years.
- xvi. The proposal was discussed in Advisory Committee meeting held on 20.10.2023 and the Advisory Committee deferred the proposal for want of following information:
 - a. *The components of the area proposed are not commensurate with the approved mining plan. The State shall ensure that the proposal is in conformity with the approved mining plan and submit the revised mining plan/proposal accordingly.*
 - b. *The forest area proposed for diversion is situated within the Elephant Migration route. The State govt was asked to submit the detail of the existing and proposed elephant corridors in the landscape which has not been provided. A detailed report in this regard shall be submitted.*
 - c. *Out of the total proposed forest land an area of 10.313 ha forest land is earmarked for infrastructure which is a non-site-specific activity. Therefore, the State Govt. shall explore the possibility to shift the 10.313 ha infrastructure development to non-forest land and revise the requirement of forest land accordingly.*
 - d. *The details of the special purpose vehicle created for the purpose of conveyor belt and requirement of additional forest land for the transportation of the coal shall be submitted along with a KML file showing the proposed route and involvement of forest land.*
 - e. *The Compensatory Afforestation areas shall be revisited and the State shall ensure that the same are free from encroachments and all encumbrances. Smaller patches with an area of less than 5 ha will not be appropriate for management and therefore the same needs revision. Therefore, in such cases revised CA patches along with revised CA Scheme and other details shall be submitted.*
 - f. *The correct KML file indicating the different components of the project including those proposed to be taken on non-forest land shall be submitted.*
 - g. *With regard to current status of progress of the settlement proceedings after notification under section 4 of the IFA, the State Government has informed that the section 4 notification is of the year 1944 and status of settlement proceedings is not available with the State Government. In this regard, the State shall submit a copy of the notification as asked by the Ministry earlier.*
- xvii. The State Government has informed that the Mining Plan including Mine Closure Plan was prepared in the year 2020 where land schedule utilized was certified by the revenue department. Later on during the scrutiny of the forest diversion proposal, involvement of forest land was found more and accordingly the FC proposal was modified. The issues have been addressed through Minor Revision of the Mining Plan as per the provision of the Ministry of Coal's Guidelines for preparation of Mining Plan and Mine Closure Plan.
- xviii. The State Government has also informed that the whole of the project area of Pachwara South Coal Mine is coal bearing. The mine has been designed in

such a way that it doesn't involve any additional land outside the allotted Geological Block boundary for Dumping & Infrastructure laying and there is no infrastructure proposed over the forest land as per the approved Revised Mining and Mine Closure Plan.

- xix. The State Government has also informed that the infrastructure area comprising 10.313 ha is relocated in the back filled area where the nature of land is non forest. Necessary corrections have been addressed in the proposal in accordance with the Revised Mining Plan including Mine Closure Plan.
- xx. The State Government has informed that Coal Transportation from Pachwara South Coal Mine involves road transportation through existing road along the northern bank of Bansloi river upto Amrapara and thereafter upto Kurwa Siding (Dumka) where dedicated siding for Pachwara South Coal Mine is being constructed.
- xxi. As per DSS analysis it was observed that in order to connect the mine with the existing road on a northern bank a bridge construction would be involved. The State needs to confirm whether any additional forest land would be required for the bridge construction or not. Further, the state has revised the component wise breakup as per mining plan, however the component wise kml file submitted is not correct.
- xxii. The State Government has submitted the copy of the notification under section 4 of the IFA.
- xxiii. As per the provisions contained in the Van (Sanrakshan Evam Samvardhan) Rules, 2023, the Compensatory Afforestation cannot be allowed on degraded forest land in the instant case and the state has to provide alternative land for CA as per the provisions of the new Rules.
- xxiv. The Advisory Committee observed that the forest area proposed for diversion is situated within the Elephant Migration route along the contiguous landscape of Damin-i-Koh from Kathikund & Gopikandar Forests (biggest forest block, the Old Reserve Block) to the Amrapara Forest of Pakur Forest Division & Sundarpahari Forests of Godda Forest Division and at the confluence of Bansloi River. The proposed diversion may cause hindrance to the free movement of elephants from one forest tract to another. The advent of Open Cast Mining may not only further disturb the ecological stability and landscape continuity but also lead to the dissection of contiguous patches. Thus, there should be adequate measures to safeguard the traditional migration route of wild elephants and an in depth analysis of this issue is required.

5. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Ranchi and Dy. Director, O/o Nodal Officer, FCA, Government of Jharkhand. After going through the facts of the proposal and submissions made by the Dy. DGF (Central), RO, Ranchi and Nodal Officer, Government of Jharkhand, the Committee deferred the proposal for non-forest use of 455.1108 ha of forest land for Pachwara South Coal Block project for want of following information:

- i. The forest area proposed for diversion is situated within the Elephant Migration route. The State govt. has submitted the detail of the existing and

proposed Elephant Migration route along the contiguous landscape of Damin-i-Koh from Kathikund & Gopikandar Forests (biggest forest block, the Old Reserve Block) to the Amrapara Forest of Pakur Forest Division & Sundarpahari Forests of Godda Forest Division and at the confluence of Bansloi River. Keeping in view the importance of the habitat, a detailed in depth analysis of this issue is required. The Regional Office, Ranchi shall therefore re-visit the area and submit its recommendations in view of the elephant habitat, the dense forest patches and Bansloi river along the area proposed for diversion.

- ii. The FC Division shall seek comments from Project Elephant Division of the Ministry keeping in view the presence of elephants in the area.
- iii. As per DSS analysis it was observed that in order to connect the mine with the existing road on a northern bank of Bansloi river, a bridge construction would be required. The State needs to confirm whether any additional forest land would be required for the bridge construction or not.
- iv. The state has revised the component wise breakup as per mining plan, however the component wise KML file submitted is not correct. A correct component wise KML file of the mining lease area commensurate with the mining plan and the proposed diversion shall be submitted.
- v. As per the provisions contained in the Van (Sanrakshan Evam Samvardhan) Rules, 2023, the Compensatory Afforestation cannot be allowed on degraded forest land in the instant case. The state shall therefore initiate steps for the identification of alternative land for CA as per the provisions of extant Rules.

Agenda No. 10

File No. 8-56/2009-FC

Subject: Diversion of 1026.438 ha of forest land for coal mining Pakribarwadih Project in favour of M/s NTPC Ltd. in Hazaribag West Forest Division in Hazaribag District of Jharkhand - regarding.

1. The agenda item was considered by the AC in its meeting held on 07.06.2024. The corresponding agenda note may be seen at www.parivesh.nic.in.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Dy. DGF (Central), RO, Ranchi and Nodal Officer, Government of Jharkhand attended the meeting.
4. While deliberating on the proposal, AC observed that:
 - i. The above cited proposal was accorded Stage-I approval vide Ministry's letter dated 11.05.2010 and Stage-II/ final approval vide letter dated 17.09.2010, subject to fulfilment of conditions prescribed therein.
 - ii. User Agency i.e. M/s NTPC submitted a representation dated 09.10.2018 requesting for amendment in condition no. 8 of Stage-II/ final approval dated 17.09.2010 and condition no. 7 of Stage-I approval dated 11.05.2010 which states that "The user agency will take up programme for at least 50 m green

- belt along the sides of the Pakwa nallah and Dumhani nallah from the initial years under the supervision of the state forest department”.
- iii. In this regard, the Ministry vide its letter dated 29.01.2019 requested the State Government to furnish comments on the said representation and provide documents as available with the State Government related to the instant proposal.
 - iv. The Regional Office, Ranchi of this Ministry vide their letter no. 5-JHA104/2009- BHU/3277 dated 09.07.2019 informed that Hon'ble NGT vide its order dated 18.02.2019 in OA No. 182/2016(EZ), constituted a committee to inspect the Pakri Barwadih Coal Mining Project of M/s NTPC Ltd. and to verify as to whether the conditions of the Forest Clearance (FC) and Environmental Clearance (EC) are meticulously complied with by the M/s NTPC and the inspection was carried out by the committee on 15.03.2019. During inspection, it was observed that some of the condition of FC approval (Stage-I and Stage-II) were still partially complied/ or where the project proponent has to take actions for complete compliance. Ministry vide its letter dated 03.09.2019 and subsequent letter dated 23.02.2022 requested the RO, Ranchi to take appropriate action in this matter as per provisions of Ministry's guidelines given under para 1.21 (iii) of Handbook of Forest (Conservation) Act, 1980.
 - v. The User Agency i. e. M/s NTPC vide their representation dated 18.01.2022 again requested for amendment in condition no. 8 of Stage-II/ final approval dated 17.09.2010 and condition no. 7 of Stage-I approval dated 11.05.2010 which states that “ The user agency will take up program for at least 50 m green belt along the sides of the Pakwa nallah and Dumhani nallah from the initial years under the supervision of the state forest department” citing the justification that Dumuhani nallah, flowing across the mining leases will be re-aligned for which approval of Water Resource Department, Government of Jharkhand has been obtained. In this regard, Ministry vide its letter dated 23.02.2022 requested the State Government to provide additional information/comments.
 - vi. The Government of Jharkhand vide letter no. vanbhumi-75/2009-1915 V.P. dated 08.07.2022 adverting PCCF, Government of Jharkhand's letter no. 893 dated 22.10.2020, letter no. 490 dated 13.06.2022 and letter no. 507 dated 16.06.2022 submitted their reply in response to Ministry's letter dated 29.01.2019 and 23.02.2022. From the examination of reply of the State, the following is revealed:
 - a. The State Government informed that the user agency has violated the provisions of condition no 8 of the Stage-II approval as the user agency at its own diverted the Dumhani nallah without prior approval of the Central Government under the Forest (Conservation) Act, 1980. State Government has further informed that despite standing directions of the CCF to abide by the condition no. 8 of approval till a time amendment in the same is granted by the Central Government, the user agency has violated the provisions of said condition. The land used in violation of the conditions of approval has been reported to be 37.20 ha. The State Government has recommended to levy penal CA and Penal NPV in respect of 37.20 ha of forest land used by the user agency in violation of Forest (Conservation) Act, 1980.

- vii. The Regional Office vide their letter dated 25.11.2022 submitted the site inspection report and assessed that the area involved in violation is 156 ha and gave a tentative assessment of penalty amounting to Rs. 818982060 (Eighty-one crores, eighty-nine lakhs eighty-two thousand and sixty). In assessment of the quantum of violation, the following points are considered by the Regional Office:
- a. *Penal NPV: - 2 times of the Normal NPV as per para 1.21(iii) of the FC Guidelines Handbook.*
 - b. *Loss of Eco-system services that the green belt would have provided: - Equal to the NPV.*
 - c. *The greenbelt along the Nalla would have served as a good Habitat for avian fauna and other several biodiversity. Therefore, 50% of NPV is accounted for Habitat Destruction as per the guideline dated 1/8/2017.*
 - d. *Compensatory afforestation and soil moisture conservation cost that the user agency should have borne as per the laid condition. Since afforestation was to be done in linear patches, considering the increased fencing the rate of Afforestation is considered as Rs 5 Lakh per Ha.*
 - e. *Therefore, the Penalty assessed for the Fait-accomplis violation is: $156 \times (3.5 \text{ times NPV} + \text{Afforestation cost}) = 156 \times (3.5 \times 1357110 + 500000) = ₹818982060/-$.*
- viii. The proposal was considered by the Advisory Committee (AC) in its meeting held on 09.12.2022 and the AC observed that since the lease area of the user agency is transacted by various nallah and therefore, the issue related to impact assessment on hydrological regimes by shifting of nallah needs to be considered holistically and accordingly, the Committee recommended that Sub-Committee of the AC may be reconstituted to ascertain and report on the following:
- a. *Assessment of hydrological regimes of the area and impact of ongoing mining operations of the user agency in general and Dumuhani Nallah in particular and changes brought in by the User Agency and its impact on the ecology of the area.*
 - b. *Efficacy of mitigation measures, if any, undertaken by the user agency in their lease area.*
 - c. *Holistic assessment of 1787 ha of forest land involved in the mining lease of the user agency, its present status and legitimacy of future use proposed by the user agency.*
- ix. The Regional Office, Ranchi vide their letter dated FP/JH/Min/38798/2019/1014 dated 03.04.2023 submitted a report of Sub-Committee of AC.
- x. The said report was considered by the Advisory Committee in its meeting held on 25.04.2023 wherein the Committee recommended to modify the condition no. 8 in Stage-II approval as under:

'The user agency shall restore and conserve the Khorra Nalla (west) and Pakwa Nalla (east) watersheds on priority basis under supervision of the forest department and expert hydrologists/agencies

and develop their watershed status as per the Survey of India toposheet no. 73 E/I. A greenbelt of 100 meters on either side of both Khorra Nala and Pakwa Nalla shall be maintained'.

The Committee further observed that in total disregard to the conditions of approval the user agency has mined out the area and changed the course of the Dumuhani nala which was actually required to be protected and maintained as green belt. Keeping this in view the Committee recommended that the penalty shall be imposed for violation committed over the forest area (1026.438 ha) without approval equal to five times the normal NPV plus simple interest of 12 % from the date of actual violation committed till the deposition of penalty shall be imposed.

- xi. On the basis of the above said recommendations of the Advisory Committee, and with the approval of the competent authority the Ministry vide letter dated 25.05.2023 has issued Modification in condition of Stage-II approval.
- xii. Thereafter the User Agency has filed a case in Hon'ble NGT against the demand for penal NPV raised by the State Government and in an another case violations regarding EC and FC was reported to the Hon'ble NGT. The Ministry has filed replies in both the cases, therefore, the status of sub judice cases should also be taken into account while deliberating the matter. It is imperative to mention that the prayers of the NTPC in the petition are as under:
 - a. *To set aside the letter dated 25.05.2023 issued by the MoEF;*
 - b. *To set aside the demand notice dated 14.06.2023 received from DFO Hazaribagh for realizing of penal NPV;*
 - c. *To stay the letter dated 25.05.2023 issued by the MoEF.*
 - d. *For such further and other reliefs as the nature and circumstances of the case may require;*
- xiii. Further, the Secretary, Ministry of Power vide their DO No. 11/25/2023-Th.1 dated 30.10.2023 proposed to hold a meeting between Ministry of Power, Ministry of Environment Forest and Climate Change (MoEF&CC) & Ministry of Coal for amicable resolution of the issue.
- xiv. Thereafter, the Ministry vide letter dated 10.11.2023 requested the State Government to furnish the updated status of the proposal and status of the compliance of the conditions stipulated in the Stage-I approval along with the report/comments on the court matter in the instant case.
- xv. Further, the user agency i.e. NTPC Limited vide their representation dated 09.11.2023 requested to reconsider the matter as below:
 - a. *Waival of penal NPV imposed on the NTPC for Pakri-Barwadih coal mining project.*
 - b. *Delinking of Stage-II forest clearance of Pakri Barwadih (North-West) with the deposition of penal NPV of PBCMP.*
 - c. *Permit to maintaining of green belt of 15 m along Pakwa and Khora Nala in line with the regulation no. 149 of Coal Mines regulation, 2017.*

- xvi. The matter was discussed in the Ministry and it was decided that since the conditions have been stipulated in the approval as per the recommendations of the Advisory Committee, therefore the State Government shall submit a point wise report/comments on the representation of the User Agency along with its recommendations and thereafter the matter would be placed before the Advisory Committee for appropriate decision in the matter. The same was conveyed to the State Government vide letter dated 22.01.2024.
 - xvii. The State Government vide their letter dated 05.04.2024 furnished their comments without any recommendation stating that the Central Government is the competent authority for amendment or reconsideration of the conditions imposed in approvals granted under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.
 - xviii. The Advisory Committee (AC) observed that the proposal was placed before the AC in its meeting held on 30.04.2024 wherein the Committee observed that the State Govt. has just forwarded the representation of the User Agency without any specific comments, recommendations and view point of the state on the matter. Accordingly, it was decided that the State Govt. be requested to carry out an in-depth analysis of the matter and the relaxations sought by the User Agency, keeping in view the factual position/field situation and submit a point-wise detailed report to the Ministry. The committee also took note of the court case filed by the User Agency with respect to challenging the decision of the Ministry and the demand note of penal NPV raised by the DFO and sought the update in this regard in the future meetings.
 - xix. The Ministry vide its letter dated 20.05.2024 requested the State Government to carry out an in-depth analysis of the matter and the relaxations sought by the User Agency, keeping in view the factual position/field situation and the Nodal Officer, Government of Jharkhand shall present the same before the Advisory Committee.
 - xx. In this regard the Nodal Officer, Government of Jharkhand informed the committee that the PCCF, Government of Jharkhand vide their letter dated 04.06.2024 has submitted the reply.
 - xxi. The Advisory Committee (AC) observed that the State Govt. has not provided any specific comments, recommendations and view point of the state on the matter and keeping in view the factual position/field situation the Nodal Officer, Government of Jharkhand was requested to present the same before the Advisory Committee which has not been done.
5. **Decision of Advisory Committee:** The Committee had detailed discussion and deliberation with the Dy. DGF (Central), RO, Ranchi and Nodal Officer, Government of Jharkhand. After going through the facts of the proposal, the Committee observed that the Nodal Officer, Government of Jharkhand was requested to give a presentation before the Advisory Committee which has not been done. Accordingly, it was decided that the State Govt. shall carry out an in-depth analysis of the matter and the relaxations sought by the User Agency, keeping in view the factual position/field situation and the PCCF(HoFF) Government of Jharkhand shall present the same before the Advisory Committee in its next meeting.

Sub: Construction of residential projects in private forest lands in the State of Maharashtra – reg.

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 18.12.2023. The Member Secretary briefed the Advisory Committee about the issue and development took place in the matter.
2. The Advisory Committee, after examination of the matter, observed as under:
 - i. The Policy issue has been referred by the Regional Office, Nagpur, adverting to the submissions made by the State Government, has sought clarification whether the residential proposals proposed to be taken up in the restored private forest may be considered by the REC or otherwise so as to inform the State Government on applicability of rules position on such proposals.
 - ii. REC sought the clarification while considering a proposals of the Government of Maharashtra involving diversion of 10.685 ha of forest land in favour of Sumeet R. Bhalotia and others, Thane for construction of residential project of Survey No. 69/2A,69/2B,69/3 pt, 69/4, 69/5A, 69/5B, 70/2 and 70/3 in VillageWalshet, Taluka- Shahapur, District- Thane in the State of Maharashtra. (Online proposal No. FC-II/MH-205/2022-NGP).
 - iii. The above proposal was considered by the Regional Empowered Committee at Regional Office, Nagpur in its meeting held on 24.04.2024 and the Committee while considering the proposal decided to seek clarification from the MoEF&CC whether such residential proposals proposed to be taken up in the restored private forest may be considered by the REC or otherwise so as to inform the State Government on applicability of rules position on such proposals.
 - iv. The relevant provisions of the rule 10(3)(ii) read with the provisions of rule 10(5)(ii) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 provides that the Regional Empowered Committee shall examine the proposals giving due regard to the various aspects mentioned therein including that the proposed use of the forest land is not for any non-site specific purpose such as agricultural purpose, office or residential purpose or for the rehabilitation of persons displaced for any reason.
 - v. The directions provided under para 11.9 of the Chapter-11 and para 1.10 of Chapter 1 of the Consolidated Guidelines issued under the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 provide provisions for undertaking construction of residential house in the forest land inter-alia provides that utilization of forest area for establishing industries, construction of residential colonies, institutes, rehabilitation of displaced persons, etc. are non-sitespecific activities and cannot be considered on forest land as a rule. In exceptional circumstances, residential projects up to one ha, can be considered for approval under the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 by the MoEF&CC, subject to appropriate justification and recommendation by the concerned State Government and the Regional Office of the MoEFCC.
 - vi. Para 11.1 of Chapter 11 provides that the Central Government will not entertain any proposal for diversion of forest land for construction of residential or dwelling houses. However, the Central Government has accorded permission for construction of residential houses in their private

forests land for construction FC-II/MH-205/2022-NGP I/73182/2024 of residential or dwelling houses in the Mussoorie Dehradun Development Authority (MDDA) areas of Uttarakhand as well as Private area (Deemed Forest) of Goa subject to certain conditions prescribed therein wherein inter-alia the following is mentioned: The construction activities shall be restricted to a maximum of 250 square meter of built-up area in each case.

- vii. The Committee, after a situation review observed that in case of private forests located in the Goa and Uttarakhand, residential houses for domestic purposes involving total built up area of 250 sq meter has been allowed by the Central Government, which is not applicable in Maharashtra. Similarly, the provisions of the guidelines given under para 1.10 provides that non-site specific activities including residential projects, up to one ha, can be considered for approval under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 by the MoEF&CC, subject to appropriate justification and recommendation by the concerned State Government and the Regional Office of the MoEFCC.
- viii. The Nodal Officer Maharashtra informed the Committee that in the past the Central Government has been considering such approvals on case to case basis in the private forest lands, however, after the notification of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, the REC of the Regional Office has not been considering such proposals.
- ix. The IGF informed the Committee that prior to the guidelines dated 24.01.2022 and notification of the Van (Sanrakshakshan Evam Samvardhan) Rules, 2023, projects involving construction of buildings, including residential projects involving area up to 1 ha subject to submission of justification on inescapability of the area, were used to be entertained by the Central Government.
3. **Decision of Advisory Committee:** The Committee, after deliberations and discussion with the DDG, Regional Office and Nodal Officer, Maharashtra desired that Nodal Officer, Maharashtra may make a detailed presentation giving detailed account of the dispensation provided in the Mussoorie (Uttarakhand) and Goa and proposals in respect of Maharashtra State before the Committee in its next meeting.

(Not present)

Dr. Naveen Chandra Bisht
(non-official Member)

(Confirmed through E-mail)

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

(Confirmed through E-mail)

Shri Manoj Pant
(non-official Member)

(Not present)

Dr. Mehraj Sheikh
Deputy Commissioner (NRM)
(Member)

(Confirmed through E-mail)
Shri Sushil Awasthi
Additional Director General of Forests
(WL)
(Member)

(Confirmed)
Shri Anjan Kumar Mohanty
Additional Director General of Forests
(FC)
(Member)

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

(Approved)
Shri Jitendra Kumar
(Director General of Forests and Special Secretary)
(Chairperson)