

Minutes of the Meeting of the Advisory Committee (AC) held on 12.06.2025

Policy Agenda No. 1

Sub: Streamlining of approval process envisaged under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 – reg. (File No. 11/97/2025-FC)

1. The above stated agenda item was considered by the Advisory Committee in its meeting held on 12.06.2025. The DDGF (Central), from various Regional Officers, and Nodal Officers of the States also attended the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue and development took place in the matter.
3. The Advisory Committee, after deliberations noted the following:
 - i. In accordance with the provisions of Van (Sanrakshan Evam Samvardhan) Rules, 2023 all proposals seeking diversion of forest land under section 2(1)(ii) are referred by the Central Government to the Advisory Committee.
 - ii. As per existing procedures, the proposals involving change in the land use, change in the name of the user agency, transfer of approval etc. are submitted by the State Government for the prior approval of the Central Government.
 - iii. Ministry has also streamlined the approval process for proposals involving change of the name, transfer of approval etc granted under the Adhiniyam. In majority of such cases, no appraisal by the Advisory Committee is required and based on the examination of the proposal, approval of the Central Government is granted for such changes.
 - iv. The Forest Conservation Division examines the proposal and proposals found incomplete are referred back to the State Government to provide the deficient information. First EDS sent is comprehensive and subsequent EDS is raised only if complete information as sought in the first EDS is not furnished or satisfactory reply is not received from the State Government.
 - v. As the entire process starting from submission, processing and approval has been end-to-end online, the authorities in the State should ensure the compliance of rules and done away with the hard copies of the proposal.
4. **Decision of the Advisory Committee:** The Committee after detailed discussion recommended the following:
 - (i) The following proposals need not to be referred to the Advisory Committee or Regional Empowered Committee:
 - (a) Proposals involving change in the name of the user agency in the approval due to inheritance by legal heir, change in name of company, etc.

- (b) Proposal involving transfer of approval from one user agency to another such as transfer of mining leases.
 - (c) Proposals involving change in the some of the patches of Compensatory Afforestation (CA) sites submitted after in-principle/stage-I or final approval/ State-II approval, due to unforeseen reasons may be considered. Proposals for alternative CA land should be submitted along with detailed justification and information on site suitability, CA scheme, KML files, etc. in accordance with the relevant provisions of Rules and guidelines issued by the Ministry in this regard.
 - (d) Proposal involving condonation of delay in submission of compliance of in-principle approval after the stipulated period as provided in the Rules and which have been submitted along with valid and cogent reasons and justification for delay in the submission of compliance report.
- (ii) **Raising of multiple EDS by the processing authorities:** Initial EDS, if any sought, should be comprehensive seeking all information which was observed to be deficient in the proposal. The processing authorities in the State should ensure that complete information on the EDS are submitted. After receipt of complete information on the EDS from the State, the proposal should be submitted to the Advisory Committee or Regional Empowered Committee.
- (iii) **Non-insistence of hard copies of the proposals:** Some States are insisting hard copies of the proposal from the user agency. This practice by the processing authorities in the State is in contravention to the provisions of the Van (Sanrakshan Evam Samvardhan) Rules, 2023 which provides that entire process from submission, processing and approval of the proposal should be carried out online. Accordingly, State Governments may be advised to adhere to the provisions of the said rules and to do away with the practice of insisting hard copies of the proposals.
- (iv) **Development of Mechanism at the Nodal Officer level in the State to review the pendency of the proposals:** The authorities while processing proposals, need to adhere to the timelines as provided in the Van (Sanrakshan Evam Samvardhan) Rules, 2023. The Nodal Officer, along with the concerned Divisional Forest Officers in the State/UTs may review the pendency of proposals on a fortnightly basis to process and dispose of the case within the prescribed time lines. The proposals which have crossed the prescribed time lines may be reviewed meticulously to ascertain the reasons for their pendency beyond time lines.

Policy Agenda No. 2

Subject: Incorporation of Dredging of Riverbed during and after natural disasters or extreme weather events as a category of the project in the PARIVESH Portal for the purpose of approval under the provisions of Van (Sarankshan and Samvardhan) Adhiniyam 1980. (File No. 11/34/2024-FC)

1. The above stated agenda item was considered by the Advisory Committee in its meeting held on 12.06.2025. The DDGF (Central), from various Regional Officers, and Nodal Officers of the States also attended the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue and development took place in the matter.
3. The Advisory Committee, after deliberations noted the following:
 - i. The PCCF& Nodal Officer (FCA), Government of Himachal Pradesh vide his letter dated 27.05.2025 has requested Ministry to incorporate 'Dredging of Riverbeds' as a distinct category in the online PARIVESH Portal to facilitate prompt approvals, ensuring effective disaster mitigation while restoring river flow and preventing flood-like situations.
 - ii. To mitigate such risks, the District Disaster Management Authority (DDMA), Kullu, initiated dredging under the Disaster Management Act, 2005 (Sections 30 & 34). This was executed across 44 vulnerable sites, as per the Deputy Commissioner's office Order no. 579-584 dated 03/11/2023.
 - iii. Dredging of riverbeds during and after natural disasters or extreme weather events is primarily undertaken as a preventive measure to mitigate future disasters like floods. It is approved by the District Disaster Management Authority (DDMA) under Sections 30 and 34 of the Disaster Management Act, 2005.
 - iv. To address the issue of removal of accumulated debris, the MoEF&CC issued guidelines on 20.05.2024 allowing the State Government to undertake dredging of rivers. However, it was stipulated in the said guidelines in case *in case the dredged out material is to be used as minor mineral, prior approval under the provisions of the Adhiniyam shall be obtained.*
 - v. Pursuant to above clarification, a decision has been taken to utilize the dredged material for commercial purposes through the Himachal Pradesh State Forest Development Corporation Ltd. Accordingly, the Forest Working Division, Kullu, has submitted an application on the Parivesh portal seeking necessary approvals under the provisions of the Van (Sarankhsan and Samvardhan) Adhiniyam 1980. However, during the submission process, several technical challenges have been encountered on the portal considering it as a mining activity.
 - vi. The Ministry of Mines in their clarification dated 1.06.2023 has clarified that excavation of such deposits, which is incidental to undertaking public works, does not fall under the purview of 'mining operations' as

the purpose of undertaking such works is not wining of any minerals but to construct some infrastructure. It has also been clarified by the Ministry of Mines that the State Government concerned to dispose the such minerals obtained in any public work, such as road, canals, pond digging or any other government infrastructure development projects.

- vii. In Himachal Pradesh, most rivers are legally classified as forest land. Any material extracted from these riverbeds is legally considered as forest produce under the Indian Forest Act, 1927.
 - viii. The situation has arisen due to recent natural disaster. By removing the accumulated debris, the purpose of the State Government is to avert future natural disasters and to restore the river flow and its natural course. Moreover, as all rivers in the State are declared as forest, the material will be treated as forest produce. Therefore, the proposed activity actually does not involve diversion of forest land rather, it aims to restore the area by undertaking scientific removal of the accumulated debris.
 - ix. As the activity is purely in the interest of conservation and protection of natural resources and management of natural disasters, and it does not involve diversion of forest land nor felling of trees, rather after removal of accumulated debris, the area will be restored to close to its original state by undertaking appropriate reclamation measures, thereby, rejuvenating the flow of ecosystem goods and services from the area. Accordingly, the Committee opined that in such activities, the provisions of compensatory afforestation should not be insisted.
4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation observed that dredging of river with the objective of removing of debris that accumulated during and after natural disasters, or after extreme weather events, intended to safeguard the natural course of the river, undertake ecological restoration, and contribute to the management of forest ecosystem and in accordance with a specified plan and for a specified period, prepared for the purpose, cannot be considered as a commercial mining activity. Therefore, the Committee recommended the following:
- (i) Request of the State Government to consider the dredging of river with the objective of removing of debris that accumulated during and after natural disasters or after extreme weather events, intended to safeguard the natural course of the river, undertake ecological restoration, and contribute to the management of forest ecosystem and in accordance with a specified plan and for a specified period, to be considered as a distinct category in PARIVESH instead of mining activity may be accepted by the Ministry.
 - (ii) As the above mentioned dredging activity does not involve actual diversion of forest land and promotes restoration of rivers courses and their natural flow, and mitigates natural disasters, the proposals for such river dredging received from the States/UTs, may be considered by the Ministry subject to following:

- (a) A dredging plan containing the details of assessment of quantity of accumulated debris to be dredged, time period in which dredging will be completed, tentative costs to be incurred, sale receipts from the dredged material, detailed monitoring protocol, etc. should be submitted along with the proposal.
- (b) Keeping in view the fact that dredged out material is a forest produce, the Forest Department or Forest Development Corporation should be involved in the removal and disposal of the dredged out material in accordance with the codal provisions prevalent in the State.
- (c) The receipt from the sale proceeds of the forest produce (accumulated dredge out material) shall be used for protection and conservation of forests, strengthening of river banks, river trainings and other like purposes for reviving and enhancing the flow of ecosystem goods and services.
- (d) A plan to utilize the sale proceeds for such conservation and protection of the forest area shall be prepared and implemented by the State.
- (e) Keeping in view the fact that dredging of river will add to better management of the hydrology of the area and the forests, the provisions of compensatory afforestation may not be insisted in such cases.
- (f) Such dredging plan may be eventually included in prescriptions of the Working Plan.

Policy Agenda No. 3

Subject:- Extension of validity period of FC approvals, for which land has been acquired under Coal Bearing Areas (Acquisition and Development) Act, 1957 (CBA (A&D), 1957)- Reference received from Government of Chattisgarh-regarding. (File No. 11/165/2024-FC)

1. The above stated agenda item was considered by the Advisory Committee in its meeting held on 12.06.2025. The DDGF (Central), from various Regional Officers, and Nodal Officers of the States also attended the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue and development took place in the matter.
3. The Advisory Committee, after deliberations noted the following:
 - (i) Issue relates to extension of validity of approvals granted to coal mining projects which have been acquired under the Coal Bearing Areas (Acquisition and Development) Act, 1957.
 - (ii) The Government of Chhattisgarh, vide their letter dated 10.03.2025 has sought clarification on the relevant provisions of extension of validity of approvals granted under the Van (Sanrakshan Evam

Samvardhan) Rules, 2023 to coal mining projects at para 7.7 of the Consolidated Guidelines issued by the MoEF&CC on 29.12.2023.

- (iii) The guidelines given at para at para 3.9 (iv) and 7.4 (i) of the Consolidated Guidelines issued by the Ministry on 29.12.2023 for metallic and non-metallic minerals, provides that the validity of FC approval is co-terminus with the validity of mining lease granted under the MMDR Act, 1957. It has further been provided under para 7.4 (iv) that after the expiry of the validity of lease and auction of the mine to new lessee the FC approvals granted to erstwhile agency will be transferred to the new lessee for continuing the mining operations.
- (iv) Likewise, provisions related validity to coal mining proposals have also been provided under para 7.7 wherein it is provided that validity of approval granted to coal mining leases granted under the MMDR Act, 1957 can be granted for a maximum period of 30 years. The Guidelines also provides that validity of approvals granted under the Adhiniyam of the existing coal mines will be extended and shall be deemed to have been extended up to a period co-terminus with the period of mining lease granted under the provisions Mineral Concession (Amendment) Rules, 2021.
- (v) As per the provisions of the Coal Bearing Areas (Acquisition and Development) Act, 1957 and clarification provided by the Ministry of Coal, vide their letter dated 19.05.2025, it may be ascertained that, validity of the coal mining projects/leases of the Government companies, acquired under the CBA is perpetual i.e. once the lease is granted it remains valid till the life of the coal mine.
- (vi) Similarly, the Ministry of Mines, vide their OM dated 10.06.2025 has clarified that insofar as MMDR Act is concerned, the clearance once granted in respect of mine will continue to be valid and will get transferred and vested to the new lessee selected through auction. Accordingly, the forest clearance would also be valid during the entire life of the mine i.e. till the exhaustion of its mineable minerals reserve irrespective of change lessee.
- (vii) In light of the comments received from the Ministry of Coal and Ministry of Mines on the provisions of the CBA Act and MMDR Act vis-à-vis validity of approval granted under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, it may be ascertained that coal mining leases acquired under CBA and operated by the Government companies have perpetual validity i.e. such leases are treated as if they have been granted under the Mineral Concession Rules with the validity as provided in the Mineral Concession Rules.
- (viii) The provisions in respect of coal mining leases granted under MMDR Act and CBA Act need to be at par and uniform for metallic, non-metallic minerals and coal mining leases.

4. **Decision of the Advisory Committee:** The Committee after detailed discussion recommended that the guidelines related to validity of approvals granted to coal

mining leases, as given under para 7.7 (ii) and para 7.7 (iii) of the Consolidated Guidelines issued under the Adhiniyam may be considered for amendment as under:

“ 7.7 Coal mining

(ii) The validity of clearance granted under the Adhiniyam shall be coterminous with the validity of lease granted under the Mines and Minerals (Development and Regulation) Act, 1957 or co-terminus with the validity of coal mine granted under the Coal Bearing Areas (Acquisition and Development) Act, 1957, as the case may be.

(iii) In case of existing coal mining leases, period of validity of approvals accorded under clause (ii) of subsection (1) of section-2 of the Adhiniyam, 1980 shall be extended and shall be deemed to have been extended up to a period co-terminus with the period of mining lease granted under the Minerals (Development and Regulation) Act, 1957 or co-terminus with the validity of coal mine granted under the Coal Bearing Areas (Acquisition and Development) Act, 1957, as the case may be subject to following conditions:

- (a) Realization of NPV by the State Government, if not already realized, within the period specified by the MoEF&CC.
- (b) In case NPV has not been already realized and the State Government fails to realize NPV as mentioned in (a) above, approval accorded under the Van (Sanrakshan Evam Samvardhan) Adhiniyam shall be kept in abeyance till such time NPV is realized.
- (c) These provisions notwithstanding anything contained therein, shall not apply to forest land falling in a mining lease for which renewal has been rejected, or which has been determined or lapsed.

Policy Agenda No. 4

Sub: Formulation of policy/guidelines for Penal Compensatory Afforestation (PCA) to ensure transparency, rationality and uniformity while imposing condition of raising penal CA in proposals involving violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 (F. No. 813/UP/06/34/2018-FC). (File No. 11/126/2024-FC)

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 12.06.2025. The DDGF (Central), from the various Regional Officers, and Nodal Officers of the States also attend the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue and development took place in the matter.
3. The Advisory Committee, after deliberations noted that earlier, on several occasion the proposal was deferred for want of a detailed presentation by the Committee. Accordingly, the Advisory Committee desired that committee

constituted in the matter to make a detailed presentation before the Committee in its subsequent meeting. Accordingly, the Committee decided to defer the proposal.

Policy Agenda No. 5

Sub: Grant of Final approval to the proposals where in-principle approval has been granted by the Regional Office under the provisions of erstwhile Rule – reg. (File No. 8B/DLI006/2022-JPR)

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 12.06.2025. The DDGF (Central), from the various Regional Officers also attend the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue and development took place in the matter.
3. The Advisory Committee, after deliberations, noted the following:
 - (i) In accordance with the provisions of the Rule 16(8)(i) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, final approval to such proposals which have been granted in-principle as per erstwhile rules will be granted under the extant (new rules) without amending the condition of in-principle approval.
 - (ii) An analysis of such proposals pertaining to mining and hydel revealed that there are 116 and 189 proposals pertaining to hydel and mining sector which were granted in-principle approval by the Regional Office under the provisions of erstwhile rule and are currently pending for grant of final approval.
 - (iii) Before granting 'in-principle/Stage-I approval, the in-depth examination of the various aspects of the proposals viz. its impact on the forest, wildlife and environment, number of trees to be felled, land proposed for CA, etc. is carried out by the Regional Office, Regional Empowered Committee or Advisory Committee.
 - (iv) Process undertaken for appraising the proposal before granting in-principle approval is very crucial in the entire scheme of approval as it facilitates the decision making process of in-principle approval by the Central Government. Proposals which have already been granted in-principle approval implies that all aspects have been duly considered and mitigation measures as stipulated needs to be ensured while granting final approval.
 - (v) Final approval is granted after ensuring compliance of conditions stipulated in the in-principle approval i.e. process of final approval involves only mechanical scrutiny of conditions stipulated in the in-principle approval and their compliance reported by the State Government.
 - (vi) All such proposals have been granted in-principle approval by the Regional Offices and Regional Empowered Committee, after their in-depth examination. Therefore, grant of final approval in such proposals by the Regional Offices will ensure relatively better scrutiny of in-principle compliance.

- (vii) Further, Regional Offices are also part of the MoEF&CC and therefore, there does not seem to be any bearing on the provisions of Rules as the approval is being granted by the Regional Office on behalf of Central Government. The situation is akin to the final approval granted in the Ministry where final approval is granted by the Forest Conservation Division on behalf of the Central Government.

4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation, observed that process of final approval involves mainly, scrutiny of compliance of conditions stipulated in the in-principle approval wherein no additional facts of the proposals needs to be appraised. Therefore, the Ministry may consider allowing its Regional Offices to grant final/stage-II approval in such proposals where in-principle/stage-I approval has been granted by the Regional Office or Regional Empowered Committee in accordance with the provisions of erstwhile rule.

Policy Agenda No. 6

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Manav Rachna International Institute of Research and Studies for nonforestry use of 13.684 ha. of forest land (closed under section 4 & 5 of PLPA 1900) for construction of Rachna International Institute of Research and Studies along Badkhal-Surajkund road, R/side, under Forest division and District Faridabad, Haryana (Online Proposal No. FP/HR/SCH/41500/2019)-regarding. (F.No. 9-HRC093/2020-CHA)

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 12.06.2025. The DDGF (Central), from the various Regional Officers attended the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue, request for modifications submitted by the State Government and other relevant developments that took place in the matter.
3. The Advisory Committee, after deliberations noted the following:
 - (i) In-principle approval for diversion of 13.684 ha of forest land for Manav Rachna International Institute was granted on 29.12.2023.
 - (ii) Guidelines issued in 2019 provided that penal NPV will be equal to NPV of forest land per ha for each year of violation from the date of diversion plus 12 percent simple interest till the deposit is made".
 - (iii) Guidelines issued by the Ministry in 2023, specifies that penal interest is to be charged from the date of raising such demand of penal NPV.
 - (iv) The State Government has requested for clarification whether, the guidelines of 2019 are applicable or those of 2023 for deciding the issue of violation especially of penal interest to be levied on penal NPV, in the extant case.
 - (v) A clarification to the State Government has already been provided by the Ministry on 1st November, 2024.

4. **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation observed that since a clarification has already been issued by the Ministry on 1st Nov'2024 in the matter, the state may follow the same in light of requisite clarifications and details incorporated in the Consolidated Guidelines issued by the Ministry on 29.12.2023.

Policy Agenda No. 7

Sub: Clarifications sought by the Regional Office, Bhopal on the applicability of compensatory afforestation - reg. (File No.: 11-4/2022/Parivesh2.0/)

Above agenda was deferred due to paucity of time.

Policy Agenda No. 8

Sub: Diversion of 1026.438 ha of forest land in favour of M/s NTPC Ltd. for Pakribarwadih Coal Mining Projects in Hazaribagh Forest Division in Jharkhand ; review of penalty imposed by the Committee – regarding

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 12.06.2025. The DDGF (Central), from the various Regional Officers, attended the meeting.
2. The Member Secretary briefed the Advisory Committee about the issue, request for modifications submitted by the State Government and other relevant developments that took place in the matter.
3. The Advisory Committee, after deliberations noted the following;
 - (i) The Hon'ble NGT vide judgment dated 21.01.2025 disposed off the matter inter-alia directing as follows:
 - (ii) We, therefore, allow this Appeal and set aside that part of the order dated 25.05.2023 in so far as it imposes penalty on the Appellant at the five times of the NPV on the entire forest area of 1026.438 ha and the order dated 14.06.2023 imposing penalty at Rs.857,52,85,944.32/- (Rupees Eight Hundred Fifty-Seven Crore Fifty-Two Lakhs Eighty-Five Thousand Nine Hundred Forty-Four and Thirty-Two Paise only) on the Appellant. The matter is remitted to the MoEF & CC to re-consider the same and determine penalty strictly in accordance with law and the observations made hereinabove.
 - (iii) Pursuant to above directions of Hon'ble NGT, the quantum of penalty imposed by the MoEF&CC is being deliberated by the Advisory Committee.
 - (iv) As per the detailed DSS analysis, the total length of Dumuhani Nallah which runs diagonally through the mining leases is observed to be 10.66 Km.

- (v) The entire catchment of the Dumuhani nallah within the lease area of the user agency has been mined out by the agency i.e. the feeder channels have been mined out by the user agency.
 - (vi) The mining operations have been continued by the user agency despite being informed on the violation of the condition which has resulted into irreversible damage to the local ecological regimes in general and hydrological regime.
 - (vii) There is no justification on the circumstances under which the user agency continued mining operations despite being informed about the violation of the condition of the approval.
- (i) **Decision of the Advisory Committee:** The Committee after detailed discussion and deliberation opined that before finalising the penalty as directed by the Hon'ble NGT, it is desirable that user agency, through State Government, may be provided an opportunity to present their submission in writing, before the Committee on the circumstances under which they preferred to continue mining operations even after being informed on the violation of the condition of approval. Accordingly, the Committee deferred the proposal for next meeting.

(Confirmed through e-mail)

Pro. KR Sree Harsha
(non-official Member)

(Confirmed through e-mail)

Shri Nityanand Srivastava
(non-official Member)

(Confirmed through e-mail)

Shri Manoj Pant
(non-official Member)

(Confirmed through e-mail)

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

(Confirmed not received)

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

(Confirmed through e-mail)

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

(Confirmed)

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

(Approved)

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