

Minutes of the Meeting of Advisory Committee (AC) meeting dated 21.08.2023**Agenda No. 1****File No. 8-14/2021-FC-Vol.**

Subject: Diversion of 248.5515 ha of forest land in favour of DMG, Rajasthan in Pahadpur Block A & B for mining and generation of employment and generation of District in the State of Rajasthan (FP/RJ/MIN/149012/2021)-regarding.

1. Government of Rajasthan vide their letter dated 07.04.2022 had submitted the above subject proposal for seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.
2. The agenda of this proposal has been considered by Advisory Committee (AC) in its meeting held on 21.08.2023. The details for this proposal can be perused at www.parivesh.nic.in.
3. The Nodal Officer (FCA), Government of Rajasthan was present in the meeting.
4. The Member Secretary placed all the facts and background of the proposal, along with examination of the proposal in the DSS, before the Advisory Committee for examination and analysis. The Committee was also apprised of the provisions of other Acts, Rules and Guidelines relevant to the proposal and their significance.
5. The Advisory Committee (AC) after through deliberation and discussion observed that:
 - i. Legal Status of the proposed forest land for diversion of 248.5515 ha. is Protected Forest.
 - ii. This diversion proposal is part of 646.56 ha forest land. Ministry vide it's letter No. 8-14/2021-FC dated 11.03.2022 had already accorded Stage-II approval under FCA, 1980 for diversion of 398.0085 ha of forest land.
 - iii. The proposal was initially submitted for an area of 248.5515 ha which has now been revised to 189.2515 ha.
 - iv. The revised component-wise breakup for instant proposal is as below:

Component wise breakup			
S.N.	Component	Forest Land (ha.)	Non-Forest Land(ha.)
1	Mining Area	180.225	0
2	Plantation	2.7255	0
3	Safety Zone	6.301	0
Total		189.2515	0

- v. State Govt. reported that the proposed area falls near Bandh Baretha Wildlife Sanctuary and 15.00 ha of the proposed forest land falls within Eco-Sensitive Zone (ESZ) of the Bandh Baretha Wildlife Sanctuary, which has now been excluded from the proposal.

- vi. DCF, Bharatpur in his specific recommendation suggested that the following points should be taken up for consideration before approval of the above project:
- a) Bandh Baretha wildlife sanctuary lies to the west of these forest blocks. Since, mining department wants to start mining operations in the area, the approach must ensure no disturbance reaches to the sanctuary. For this, it seems prudent to develop Sukhasila block as a suitable ecological buffer zone from mining area and a 10 km wall should be constructed in sukhasila block towards bansi pahadpur block to prevent illegal mining as well as to protect forest from adverse impact of mining activities in Bansi Pahadpur.
 - b) The proposal is presented along with a briefly worded mining plan. It is being assumed that a detailed mining plan approved by competent forest authorities will be made letter and no new conditions that are detrimental to forest laws will be added by the user agency.
 - c) Integrated Wildlife Action Plan has already been submitted for earlier proposal no. FP/RJ/MIN/125714/2021 which is sufficient to cater to the needs of wildlife in this area.
 - d) The water streams in the diverted forest land shall be protected as per standard condition in forest (conservation) guideline. The state government shall ensure that soil and moisture conservation activities are undertaken on the banks of these water streams by user agency, along with mining operation, to sustain water flow in the streams.
 - e) Total 12023 trees of different species have been reported by the Range Officer. No tree should be cut without permission from forest department. If a large tree is to be cut in the area, compensatory amount should be submitted and effort must be done to ensure tree translocation. The cost must be borne by mining lease holders.
 - f) Proposal for modification of Eco Sensitive Zone of Band Baretha Wildlife Sanctuary has been forwarded via due process and no activity detrimental to forest and environment laws should be carried out in existing Eco- sensitive zone till the modification in Eco- Sensitive Zone boundaries is notified.
- vii. The State has intimated that the boundaries of Bandh Baretha Wildlife Sanctuary has been rationalized vide order no. F1(71) Van/Bandh Baretha/02 dated 23.03.2021 and subsequently the proposal for modification of Eco-Sensitive Zone of Bandh Baretha Wildlife Sanctuary has been forwarded to the ESZ division of MoEF&CC vide letter dated 27.05.2022. The applied mining area does not lie in the proposed new Eco-Sensitive Zone of Bandh Baretha Wildlife Sanctuary.
- viii. With regard to query of Ministry for submission of proposal in piecemeal, Govt. of Rajasthan informed that Out of 646.56 ha of forest area block A and B of Pahadpur, the proposal for diversion of 398.0085 ha. was applied on 13.04.2021 on the Parivesh Portal. Stage-II approval for the said area 398.0085 ha. was issued on 11.03.2022. Considering the fact that diversion of the entire forest area of the said forest block would be in the best interest of the State to control illegal mining activities, it has been decided by the State Government to seek diversion of the remaining area of 248.5515 h. once the status of the area became clear.

- ix. The Compensatory Afforestation is proposed over 248.5515 ha which is provided for CA as Non-Forest Land (NFL). However, this area is a part of 5231.79 ha area already notified as Protected Forest (PF) vide notification Rajasthan Gazette (Extraordinary) Dated 27th November 2009 and falls in Block 15 Kanakachal Parvat of 1775.97 ha PF area.
- x. The RO in SIR has mentioned that the land which the State is claiming as land bank for future proposals was notified as PF for total area 5231.79 ha as the State Government could not protect this Government Revenue land from illegal mining and encroachments. Recently also area of about 700 ha of Revenue Land is proposed by the State Govt. for notifying as PF due to protest by the sadhus and claiming as Land Bank for future proposals. So far only 648.981 ha of forest land is proposed for three proposals including this proposal, out of total 5231.79 ha. The remaining 4582.809 ha forest land is available in all the 21 Blocks.
- xi. The RO Jaipur further recommended that only 200 plants/ha can only be planted on the proposed CA land, which means for 1000 plants 5 ha of this notified PF land is required to be utilized for per hectare diverted forest land for mining. Since sufficient land is available in these blocks and the proposed land for CA is not of very good quality which is supposed to be as per Ministries Guideline dated 13.07.2022. The complete land required for plantation in addition to proposed CA of 248.55 ha is 994.206 ha ($248.5515 \times 4 = 994.206$ ha) can be utilized from the remaining 4582.809 ha which is already available at the same location, instead of taking plantation, as proposed by the State Govt. in 4 patches of degraded forest land in Alwar District.
- xii. The State Govt with reference to above recommendation of Regional Office submitted a revised CA scheme and proposed the plantation of additional saplings over 994.206 ha area within the area 5231.79 ha area already notified as Protected Forest (PF) in lieu of Compensatory Afforestation for future diversion proposals.
- xiii. The Committee observed that the area proposed for Compensatory Afforestation does not seem to have root stock and therefore its suitability for raising plantation is required to be properly examined.
- xiv. With regard to query of Ministry regarding non-site specific activities like Top Soil Dump (4.0 ha.), Dumps (7.50 ha.), Infrastructure (2.50 ha.) to be carried out in forest land, The State informed that मुख्य वन संरक्षक भरतपुर के संदर्भित पत्र अनुसार वन क्षेत्र का डायवर्जन होने के उपरान्त delineation की कार्यवाही कर E-Auction किया जावेगा। प्रत्येक पट्टाधारी द्वारा खनन पट्टा क्षेत्र में Site Specific and Non Site Specific activities को पृथक से माईनिंग प्लान अनुमोदन कराया जायेगा।
- xv. The safety zone has not been proposed all around the Mining lease and the user agency informed through State Govt. that the Paharpur forest area in Block A & B is having total 646.56 ha area cumulatively. Out of this 398.0085 ha area is already diverted and delineated and approach road and safety zone of this area is mentioned in Proposal No FP/RJ/MIN/125712/2021 dated 13.04.2021. Currently applied area (189.2515 ha) for diversion is the part of the Paharpur forest area in Block A & B and is having shared boundaries with the already diverted land and no other safety zone is required in between the Mining zone.

6. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with Nodal Officer (FCA), Government of Rajasthan, and Dy. Inspector General of Forests (C), Sub-office, Jaipur. After going through the facts of the

proposal and submissions made by the Nodal Officer, the Committee deferred the proposal and desired to obtain the following information from State Govt. so that comprehensive decision can be taken:

- (i) The State Government shall furnish condition-wise compliance on the conditions stipulated in FC approval for diversion of 398.0085 ha of forest land under FCA, 1980 vide Ministry's letter No. 8-14/2021-FC dated 11.03.2022, including the area mined out so far.
- (ii) The KML file for the areas of 15.30 ha falling in the Eco-Sensitive Zone of Bandh Baretha WLS and 44 ha. proposed to be deleted from the original diversion proposal shall be provided.
- (iii) The RO Jaipur shall revisit the area proposed for Compensatory Afforestation and ensure its suitability for the Compensatory Afforestation and submit a detailed report in this regard. RO Jaipur will also look into the details of Safety Zone proposed, whether the entire area is flanked with the safety zone or not? Moreover, the RO will also examine the conditions mentioned by the DFO and submit a clear recommendation on them.
- (iv) The State Govt. shall submit the present status of the court case due to which the 44 ha area has been deleted from the instant proposal.

Agenda No. 2

File No. 8-03/2020-FC

Subject: Proposal for change in condition of Stage-II approval for diversion of 54.668 ha. of forest land under Forest (Conservation) Act, 1980 for extraction of sand, stone and bajri from bed of river Yamuna mining project by Randeep Singh, Mauza and Mohal Bhagani, District Sirmour, within the jurisdiction of Paonta Forest Division, District, Sirmour Himachal Pradesh.

1. The Government of Himachal Pradesh vide their letter dated 17.05.2023 has submitted the proposal for change in condition of Stage-II approval for diversion of 54.668 ha. of forest land under Forest (Conservation) Act, 1980 for extraction of sand, stone and bajri from bed of river Yamuna mining project by Randeep Singh, Mauza and Mohal Bhagani, District Sirmour, within the jurisdiction of Paonta Forest Division, District, Sirmour Himachal Pradesh.
2. The agenda of this proposal has been considered by Advisory Committee (AC) in its meeting held on 21.08.2023. The detailed agenda note for this proposal can be perused at www.parivesh.nic.in. Nodal Officer (FCA), Himachal Pradesh did not attend the meeting, however, the DDGF (central), MoEF&CC's RO at Chandigarh was present in the meeting.
3. The Member Secretary placed all the facts and background of the proposal, along with examination of the proposal in the DSS, before the Advisory Committee for examination and analysis. The Committee was also apprised of the provisions of other Acts, Rules and Guidelines relevant to the proposal and their significance.
4. The Advisory Committee (AC) after through deliberation and discussion observed that:
 - i. The proposal had been discussed in Advisory Committee Meetings held on 23.04.2020 and 21.09.2020 prior to grant of in-principle approval.

- ii. The environment wing of this Ministry had issued guidelines for Enforcement and Monitoring of Sand Mining (EMSMG) in January 2020, which is in continuation of Sustainable Sand Mining Management Guidelines (SSMMG) issued in 2016. The management of sustainable sand extraction are the key objective of the Guidelines. The SSMMG 2016 highlights the identification of the sand mining sources, replenishment of River Bed material (Sand, Boulder, Gravel, and Cobble etc.), preparation of District Survey report (DSR), and Standard Environmental Conditions applicable for sand mining projects. The “SSMMG, 2016” requires preparation of DSR, which is an important initial step before grant of mining lease/LoI.
- iii. The AC in its meeting held on 23.04.2020 inter-alia desired that the State Government may confirm that the proposed mining conforms to the DSR (as per EMSMG-2020 and SSMMG-2016 issued by MoEF&CC) of the concerned district for which State Govt. vide their letter dated 18.08.2020 replied that the Mining Officer, District Sirmour, Nahan vide letter dated 11.06.2020 clarified that area of 54-668 Ha. has been auctioned as per the provisions provided under Minor Mineral (Concession) and Minerals (Prevention of Illegal Mining, Transportation & Storage) Rules, 2015 and the proposed mining, over 54.668 Ha. of forest land for extraction of sand, stone & bajri from bed of river Yamuna by Randeep Singh is conforms to the DSR (as per EMSMG-2020 and SSMMG-2016 issued by MoEF&CC).
- iv. In the District Survey Report (DSR) of Yamuna, it is mentioned that Yamuna River is one of the major tributaries of the Ganga river system. This river originates from the Jamnotri Mountain in the Himalayas at a height of about 6387 m from the mean sea level. Drainage pattern of the Yamuna River is of Dendritic type. Total length of Yamuna river in Himachal Pradesh is about 31 Km and the total catchment of this area is approx. 270 Sq. Km. there is 16 mining leases are in operation in Giri river. Out of these, 7 Nos. leases have been granted for running the stone crusher and 9 Nos. for extraction of minor mineral for free sale. The production of the minor minerals from these mining leases for last three years is as under:

Year	Production in MT
2013-2014	1,35,128
2014-2015	1,37,586
2015-2016	2,46,277

- v. **Minor Mineral Potential in the River Bed:** As the stream cut its course through the boulder beds of Siwalik rocksand this formation is the prominent source of annual deposition in the riverbeds. During flood season, the water carries heavy sediment load comprising gravels and sand which are deposited in the bed of stream. The following mineral potentials have been calculated based on the %age of each mineral constituent like boulder, river borne bajri and sand. The annual deposition of minor mineral in the riverbed has been calculated by taking into consideration the annual deposition of about 20%.

Minor Mineral Potential and Annual Deposition of Yamuna River

Mineral Potential:

Boulder (in MT)	River Born Bajri (in MT)	Sand (in MT)	Total Mineable Mineral Potential (in MT)
5601204	6801462	4400946	16803612

Annual Deposition:

2240482	2720558	1760378	6721445
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Recommendation in DSR: It is evident from the above table that about 16803612 metric tons of different sizes of minor minerals are available upto depth of one meter in the river bed of Yamuna River in the Sirmour District. Similarly, the annual deposition of minor mineral in the river bed is approximately to the tune of 6721445 metric tones. At present average annual production is around 80,000 metric tones from the river bed. As such 16803612 metric tons of minor mineral can safely be lifted from the river bed. It is therefore recommended that mineral concession can be granted in the right bank of the river bed from downstream of confluence with Tons River to village Behral near Haryana and Uttar Pradesh Border.

- vi. The AC in its meeting held on 21.09.2020 recommended this proposal for according Stage-I approval with certain specific conditions which includes that:
 - a) Extraction of minor mineral shall be carried out manually. Further, heavy vehicle and heavy machineries shall not be used for extraction and transportation of sand, stone and Bajri from the river bed.
 - b) The extraction of minor mineral shall be as per DSR study report and the annual quantity shall not exceed the average of extractions in the years of 2013-14 to 2015-16.
- vii. The user agency had given a representation for modification of specific condition as mentioned at para 6(a) above. After due consideration and recommendation of AC on 25.11.2020 its acceptance by the competent authority, the said condition has been revised as:

“Extraction of minor minerals shall be carried out manually. Further, the State Government shall ensure that there is no erosion and change in river course due to extraction/collection of sand, stone and Bajri from the riverbed. All Guidelines of Ministry of Environment, Forest and Climate Change issued in respect of extraction/collection of sand, stone and Bajri from the river bed shall also be followed.”
- viii. The Ministry, has accorded Stage-II approval under FCA,1980 vide Ministry's letter dated 29.11.2022 subject to certain conditions prescribed therein which includes the following two conditions:

Condition No. (v): The State Govt. shall ensure that no extraction of material will be allowed from the river beds during monsoon period i.e. from beginning of June to end of October each year.

Condition no. (vi): The State Govt. shall ensure that the extraction of minor mineral is as per DSR study report and the annual quantity shall not exceed the average of extractions in the years of 2013-14 to 2015-16.

- ix. Government of Himachal Pradesh vide their letter No. FFE-B-F(2)-2/2022 dated 17.05.2023 referring Ministry's letter dated 29.11.2022 forwarded the request of user agency for modifying the conditions No. (v) & (vi) of Para-B of approval letter dated 29.11.2022. The reasons indicated by the user agency in their representation dated 23.03.2023 for changing of the conditions are as below:

S.N.	Conditions	Submission from user agency
1.	Condition B (v)	<p>During the stage-I compliance, the user agency has submitted the DSR report for the year of 2013-14 to 2015-16. According to the DSR report the rainy season begins from the third week of June and lasts till the middle of September. A shower or two are received in April and may also. The April and May rains may also bring hail storms. During monsoon season rains are more active during July and August. These months' accounts for 80% of the rainfall during the season. The average annual rainfall of the district is 1670 MM. The same will be implemented by user agency during the course of lease period under the guidance and supervision of State Forest Department. So, it may be modified the condition as per the DSR report or as per the currently working State rules and conditions (of Geological Wing & Forest Department) with regard to monsoon seasons.</p> <p>As per Appendix, Normal Dates of Onset and withdrawal of South-West Monsoon of Sustainable Sand Mining Guidelines 2016 issued by Ministry of MoEF&CC, period of monsoon in Himachal Pradesh has been specifically put between 01st July to 15th September which matches with DSR study report.</p>
2.	Condition B (vi)	<p>It is submitted that MoEF&CC has accorded the approval totally on behalf of DSR study report. However, the conditions (v) & (vi) are in contravention with each other, it will impossible for user agency to carry out mining activities on said land effectively if time frame of ban is not reduced.</p>

- x. The Ministry vide its letter dated 20.06.2023 requested the State Govt. to offer their comments/recommendation on the request of the user agency for modification of conditions keeping in view the Sustainable sand mining guidelines, DSR report and the dates of onset and withdrawal of South-West Monsoon the onset and withdrawal of the Monsoon in the State of Himachal Pradesh along-with status of compliance of the conditions stipulated in the Stage-II approval dated 29.11.2022 shall also be provided.
- xi. Government of Himachal Pradesh vide letter dated 30.06.2023 submitted that as per Sustainable Sand Mining Management Guidelines, 2016, normal dates of onset and withdrawal of Southwest Monsoon in Himachal Pradesh is 1st July and 15th September & as per District Survey Report, the onset and withdrawal of Southwest Monsoon is 3rd week of the June and middle of the September & during monsoon season in Himachal Pradesh, rains are more active during July and August of every year. So far the user agency did not

receive consent to operate from Mining Department, therefore, the works has not been started till date. The point wise compliance of Stage-II approval will be reported when the works on project site will be started.

- xii. The Committee observed that the condition regarding the average annual production has been stipulated by keeping in view the DSR report as well as the average annual extraction.
 - xiii. The Committee further observed that keeping in view recent changes in weather pattern and the flood situation in the State of Himachal Pradesh, it may not be prudent to increase the quantity of mineral extraction at this stage.
 - xiv. The Committee, however observed that in case of minor mineral extraction in Uttarakhand State, the extraction of minor minerals is not permitted during the monsoon season and accordingly as per the conditions of approval under FCA,1980 it is prohibited during the months of June to September. Since Himachal Pradesh is similarly situated as Uttarakhand, therefore this condition has to be in parity in this case as well.
- 5. Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with concern Dy. Director General of Forests (C) and keeping in view recent changes in weather pattern and the flood situation in the state of Himachal Pradesh, the request of the State for modification in the condition no (vi) of the approval was not acceded to by the Committee. The Committee however recommended to modify the Condition no (v) of the Stage-II approval dated 29.11.2022 as under:

The State Govt. shall ensure that no extraction of material will be allowed from the river beds during the months of June to September each year.

Agenda No. 3

File No. 8-15/2022-FC

Subject: Proposal for seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 for non-forestry use of 211.8427 ha. of forest land for construction of 500 MW Dugar Hyrdo Electric Project in favour of NHPC Ltd. under Pangri Forest Division and Chamba District of Himachal Pradesh (Online Proposal No. FP/HP/HYD/123533/2021).

1. Government of Himachal Pradesh vide their letter No. Ft. 48-5297/2021 (FCA) dated 02.07.2022 had submitted the above subject proposal through online on PARIVESH portal to the Government of India, MoEF&CC for seeking prior approval under FCA,1980.
2. The agenda of this proposal has been considered by Advisory Committee (AC) in its meeting held on 21.08.2023. The detailed agenda note for this proposal can be perused at www.parivesh.nic.in. Nodal Officer (FCA), Himachal Pradesh did not attend the meeting, however, the DDGF (central), MoEF&CC's RO at Chandigarh was present in the meeting.
3. The Member Secretary placed all the facts and background of the proposal, along with examination of the proposal in the DSS, before the Advisory Committee for examination and analysis. The Committee was also apprised of the provisions of other Acts, Rules and Guidelines relevant to the proposal and their significance.
4. The Advisory Committee (AC) after thorough deliberation and discussion observed that:

- i. The Dugar Hydro Electric Project (500 MW) is envisaged as a run-of-river scheme for utilizing the flow of Chenab River to harness the head created by constructing a 128 m high (from deepest foundation) dam near Luj village with FRL of EL 2114.00 msl and the proposed underground power house located on the left bank of Chenab River just downstream of the dam.
- ii. Government of Himachal Pradesh (GoHP) has signed Memorandum of Understanding (MoU) with NHPC Limited on 25th September 2019 for the implementation of Dugar Hydroelectric Project on Build Own Operate & Transfer Basis (BOOT) for a period of 70 years including DPR and pre construction periods.
- iii. The Implementation Agreement (IA) has been signed between Govt. of Himachal Pradesh and NHPC Ltd, on 26-08-2022 for implementation of the project.
- iv. The Project has been recommended for development in the Cumulative Environmental Impact Assessment (CEIA) Study carried out in 2016 for Chenab River basin in Himachal Pradesh under the aegis of MoEF&CC.
- v. The following benefits of Dugar HE Project are proposed as per the Implementation Agreement (IA) between Govt. of HP and NHPC:
 - a) NHPC Limited shall be liable to deposit an equivalent amount of 100 units of electricity, per month for a period of 10 years, as per applicable subsidized tariff determined by Himachal Pradesh Electricity Regulatory Commission (HPERC) from time to time, with respective Local Area Development Committees (LADCs) of the districts and the balance amount equivalent to the quantum of subsidy with the State Government.
 - b) NHPC Limited shall provide 1.5 % of the cost of the project towards Local Area Development Fund (LADF) during execution of the Project. Many benefits are envisaged under this LADF.
 - c) NHPC Limited shall provide employment to Himachalies as per the Industrial Policy of the State Government.
- vi. The User Agency has obtained NOCs from Archaeological Survey of India (ASI), Shimla, GoHP and IP&PH Department, PWD Ministry of Defence.
- vii. The Central Electricity Authority (CEA), Ministry of Power, Govt. of India has concurred the Dugar Hydro Electric Project for estimated cost of Rs. 3987.34 Crores.
- viii. The forest and non-forest land involved in the project is 211.84 ha. and 8.78 ha. respectively in Pangri Forest Division of District-Chamba, Himachal Pradesh.
- ix. Legal Status of the Forest Land of 211.8427 is as below:

a	Reserved Forest	127.75 ha.
b	Protected Forest	81.69 ha.
c	River	2.40 ha.
	Total:	211.84 ha.

- x. The component-wise requirement for instant proposal is as below:

S.N.	Component	Forest Land (Ha)	Non-Forest Land (Ha)
1.	Submergence including River Area	160.45	0
2.	Dam	5.83	0
3.	Approach Roads	8.168	0
4.	Quarry Area	8.625	0
5.	Borrow Area	3.88	0
6.	Muck Dumping Area	8.5797	0
7.	Job Facility Area	7.08	0
8.	Power House	3.64	0
9.	HRT	0.4	0
10.	TRT	1.81	0
11.	TRT Outfall	0.74	0
12.	Diversion Tunnel	1.84	0
13.	MAT	0.8	0
14.	Construction Facility Area	0	6.62
15.	Owner / Developer Colony including Permanent & temporary	0	1.98
16.	Owners Office	0	0.18
	Total	211.8427	8.78

xi. The main components of the project are:

- (a) A 128 m high concrete gravity dam (from the deepest foundation level) located on River Chenab at Latitude N 33° 01' OS" and longitude E 76° 21' 20.7".
- (b) Two numbers main intakes and one intake for auxiliary power house located at the left bank.
- (c) Two numbers main pressure shafts and one pressure shaft for auxiliary power house.
- (d) Underground cavern housing four number main units of 103 MW each and two units of 44 MW each for auxiliary power house.
- (e) Transformer Cavern located upstream of power house cavern.
- (f) Four Nos. main TRTs having Chamber at the upstream end and one TRT for auxiliary power house discharging downstream of dam.

xii. It is observed that three different dam sites have been taken into consideration during Alternative Study. The Alternative maps and compare table on all three alternatives are as below:

Parameters	Alternative II A	Alternative III A	Alternative IV A
DAM Type Concrete gravity	Feasible	Feasible	Feasible
Underground works	Long Tunnel (4800 m)	Small Tunnel (1000 m)	V. Small length Tunnel (800m)
Energy Production	1500 MU	1758 MU	1690 MU
Geological Risks	High	Moderate	Moderate
Submergence Area	155 ha	160 ha	210 ha

Dumping Area	25 ha	9.0 ha	7.8 ha
Other Area	30 ha	45 ha	40 ha
Total forest Area	210 ha	211 ha	257.8 ha

- xiii. The aerial distance of nearest component Power House from ESZ of Sechu Tuan WLS is 19.98 km.
- xiv. With regard to Muck Dumping Site, it is informed that a single patch of 8.5797-hectare forest land has been identified and found suitable for temporarily disposal of muck and 7.08-hectare forest has been found suitable for temporarily job facility. Both the temporarily muck dumping and job facility area will be handed over back to Forest Department after completion of construction and reclamation of project site. The possibility of locating muck dumping site and job facility area in Private land/non-Forest land in nearby area has been examined/explored, but possibility of taking up the muck dumping site and job facility area in non-forest/private land is not possible due to non-availability of suitable non-forest/private land in and around the area proposed for diversion.
- xv. The certain shortcomings were noticed in CA sites and correspondence made by this Ministry with the State Govt. and thereafter the CA sites have been revisited by the State and suitable areas have been identified as per the suitability and feasibility for carrying out plantation. Forest density classes of revised CA sites are varying from 0.10 to 0.35. The CA scheme has been revised in 17 patches and their size varies from 5.690 ha to 144.122 ha in Pangri Forest Division as per the modified CA sites and the same has been uploaded on the PARIVESH portal against additional information.
- xvi. It is reported in SIR that the Landscape of the proposed area is having moderate to dense vegetation of various ecologically important species viz. Cedrusdeodara, Pinus gerardiana, Coryluscoluma (Thangi) etc. There are Water Streams/Nallahs flowing into the River Chenab. Therefore, there is high possibility of presence of important Wildlife species in and around the proposed diversion area.
- xvii. The area proposed for diversion for quarry and burrows is 12.505 ha. Mining shall be carried out from these areas as per the approved Mining Plan. All these Sites are already connected to existing roads. The approved mining plan for the quarry has not been submitted so far.
- xviii. The dumping site is located downstream the Dam area and a road is proposed for this dumping site that originates from existing Tandi-Kishtwar road to Main Access Tunnel Bridge and same is passing through this dumping site. 1821 of different species viz. Alnus species, Parrotisjacquemontiana (Killar), Salix, Pinus gerardiana, Celtrisaustralis are standing in the dumping site.
- xix. Most of the CA sites are proposed in Reserved and Demarcated Protected Forests and ownership of these are vested with HP Forest Department.
- xx. It has been informed that the Environment Clearance has been recommended by the Expert Appraisal Committee, MoEF&CC, New Delhi based on the Environment Management Plan (EMP). Following is the abstract of the components and financial allocation related to major Reclamation Plan (as per the records) which is part of the EMP.

Components and Financial allocation of Reclamation Plan (as a part of EMP):

Sr. No.	Reclamation Activity	Financial Allocation (Rs. Lakh)
1.	Muck Management Plan	670.80
2.	Catchment Area Treatment Plan	5981.03
3.	Reservoir Rim Treatment	40.00
4.	Restoration Plan for Quarry Sites and Landscaping	404.80
5.	Green Belt Development Plan	412.11
	Total	7508.74

- xxi. Transmission Line is not proposed in the extant proposal. User Agency in this regard informed that Transmission component for transmission of power of Dugar HEP will be taken up separately by Power Grid Corporation of India.
- xxii. All the CA sites (17 Patches) were inspected by a team constituting technical staff of Forest Survey of India, Regional Office (Northern), Shimla and 02 Sites were visited by Regional Officer including the largest patch. All the CA sites are located in hilly terrain with scattered rocks and boulder interspersed with natural vegetation in some of the sites. Overall, all the sites seem suitable for plantation.
- xxiii. Pangi area is habitat of unique endemic tree species of Pinus gerardiana, Corylus sp. and Betulasp. etc. As per recommendations of Regional Office, the plantation of these endemic tree species needs to be encouraged in CA Sites.
- xxiv. Further the RO recommended that the proposed project is located on river Chenab and adjoining areas are also covered with diverse multi-storeyed vegetation with presence of wildlife. Therefore, an Ecological Monitoring Unit with a dedicated expert to monitor the impacts on flora, fauna and ecosystem services of the landscape by the proposed project activities needs to be established by the User Agency so that possible adverse impacts on the environment can be minimized.
- xxv. The State has intimated that the counting of saplings/poles of girth size 0-30 cm (0-10 cm DBH) will be carried out and shall be submitted well before stage-II approval. The large-sized trees of Girth Class 121-150 cm and > 150 cm have been recorded in part-II and properly filled as per category of Girth Class on Parivesh portal.
- xxvi. It is informed by the Government of Himachal Pradesh that they have a policy on Catchment area treatment of the Basin where the project proponent is liable to pay 1.5% of the project cost towards the treatment of Catchment. As the Project is of greater capacity of 500 MW, the project would contribute enormous amount towards the same. Further, the project proponent would perform the Reservoir Rim Treatment which is a part of Environment Management Plan prepared by the Project proponent. However, the approved CAT plan for instant proposal is has not been submitted.
- xxvii. 12.505 ha. forest area in proposed diversion is for Quarry sites and from these areas mining shall be carried out as per the approved Mining Plan. It is reported in SIR by RO Shimla that the impact of Hill Side Quarry sites on ecology and environment of the area and Mitigation Plan is required to be prepared and recommended that controlled blasting shall be carried out in all the Quarry sites

- to minimize the adverse impacts. However, the approved Mining Plan has not been submitted.
- xxviii. The Committee observed that the project is located in a High Altitude area, which is ecologically fragile therefore before taking any decision on the same it is essential that a study on the stability of the geological strata is carried out by a reputed institute like Wadia Institute of Himalayan Geology.
- xxix. The committee also observed that keeping in view the large number of Hydro projects, the status of the carrying capacity study of the Chenab basin may also be enquired from the State Government.
- xxx. Only one muck dumping site has been proposed and it has been mentioned that most of the muck generated will be utilized by cut and fill method. However, keeping in view the large quantities of muck generation it is essential to get a detailed plan containing the details of muck generation and utilization.
5. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with concern Dy. Director General of Forests (C). After going through the facts of the proposal the Committee deferred the proposal and sought the following information: -
- i. A study of the project area, impact of the proposed project and feasibility shall be conducted by the renowned/reputed Institute in the field such as Wadia Institute of Himalayan Geology, Dehradun at the cost of the user agency.
 - ii. There is only one Muck Dumping site which involves 8.5797-hectare forest land. State Govt. may shall explore the possibility of muck dumping on non-forest land and away from the river. A detailed plan containing the details of muck generation and proposed utilization shall be submitted.
 - iii. The copy of the approved CAT plan for instant proposal shall be submitted.
 - iv. The approved mining plans in case of the proposed quarry sites shall be submitted.
 - v. The details of saplings/poles shall be correctly uploaded in the Part-II of the application on PARIVESH portal.
 - vi. The State Govt. shall intimate the status of the River basin Cumulative Impact Assessment and Carrying Capacity Study (CIA&CCS) in case of Chenab river on which this project is located.
 - vii. As per proposal submitted, the project is a run of the river project, whereas a huge area is proposed for submergence at the same time. The State shall clarify the position in this regard.
 - viii. The State Govt. shall submit a detailed report regarding the impact of the project on the water flow in the areas downstream. The impact of the project on farming and flow of water in the distributaries downstream shall also be studied and a report shall be submitted.

Agenda No. - 4

File No: 8-37/2002-FC Vol.

Sub: Proposal for seeking prior approval of the Central Government under FCA, 1980 in favour of Uttarakhand Forest Dev. Corporation (UKFDC), Dehradun for renewal of Collection of Minor Minerals from 64.0 ha of forest land of Song River in Block No. 8 of Bhupalpani under Raipur Range of Mussoorie Forest Division, Dehradun, Uttarakhand (Online proposal no. FP/UK/MIN/21355/2016)

1. The above stated agenda item was considered by AC in its meeting on 21.08.2023. The corresponding agenda note may be seen at www.parivesh.nic.in. The meeting was attended by the Nodal Officer (FCA) GoUK and DDGF (Central), RO Dehradun.
2. The Member Secretary placed all the facts and background of the proposal, along with examination of the proposal in the DSS, before the FAC for examination and analysis. The Committee was also apprised of the provisions of other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The Advisory Committee after through deliberation and discussion observed that:
 - i. MoEF&CC had accorded approval for diversion of 64.0 ha of forest land for collection of boulder, bajri, sand etc. vide letter No. 8-37/2002-FC dated 21 January 2003 for a period of 10 years. The lease period of the mining expired on January 2013.
 - ii. After expiry of above lease period, the State Government vide their letter no.959/FP/UK/MIN/21355/2016 (Dehradun) dated 14.09.2017 submitted a Proposal for seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 in favour of UKFDC, Dehradun for renewal of collection of Minor Minerals from 64.0 ha forest land of Song River for next 10 years.
 - iii. Vegetation density of the proposed area for diversion and surroundings is 0.2 and Eco Class V. However, no tree is reported to be felled.
 - iv. UKFDC being a State Government agency, payment of NPV is exempted as per the Hon'ble Supreme Court of India order dated 28.03.2008.
 - v. As the proposal is for renewal and the State has submitted the compliance report on the conditions stipulated in the Stage-II approval dated 21.01.2003. After examination of the compliance report it has been found that the following important conditions have not been complied by the State satisfactory:
 - a) Soil conservation work shall be executed under the supervision of State Forest Department;
 - b) River training programme shall be carried out through technical strengthening of embankment by netting and bolting method along with adequate vegetative measure
 - vi. At per the previous Stage-II approval dated 21.01.2003 the provisions of raising CA were not stipulated in the approval. However, as per detail submitted by the State in its letter dated 8.01.2020, Range Officer, Mussoorie conveyed the detail of CA raised in lieu of approval dated 21.01.2003 to DFO concerned mentioning that CA was raised over an area of 35 ha incurring an expenditure of ₹7,17,268/-. KML file of the area was made available by the State and the same was analysed using DSS tools. Analysis of the site did not show any sign of a successful plantation on the site contrary to the claim of afforestation carried out in the year 2006-07 and 2010-11.
 - vii. The State has thereafter informed that the survival % is 15 to 20%. They have done CA on 55.0 ha area with an expenditure of ₹13,94,257/-. However, the plantation was not successful.

- viii. As per rule CA was required on 128.0 ha of degraded forest land double in extent of the forest land being diverted. However, the State has only provided the CA details on 55.0 ha which is also failed.
- ix. The proposal was considered in FAC meeting held on 23.04.2020 wherein in inter-alia observed that the proposal cannot be treated as renewal due to delay in submission.
- x. FAC in the said meeting also observed that CA has been proposed over degraded forest land, out of 85 ha was falling under MDF category and accordingly desired to submit revised CA. The State Government has submitted the revised CA scheme and the same has been analysed using DSS tools and the area found suitable for raising afforestation. Though an area of 9 ha is categorized as MDF, however, analysis of same on Google Imagery revealed it fit for afforestation.
- xi. FAC in the said meeting also observed that the proposal was deferred for seeking certain information /documents from the State. The FAC asked about whether the proposed mining conforms to the DSR [as per EMSMG-2020 (guidelines for Enforcement and Monitoring of Sand Mining 2020) and SSMMG-2016 (Sustainable Sand Mining Management Guidelines)] of the concerned district and the State Govt. responded that the project is not listed in D.S.R. of District Dehradun. However, the State has informed later vide letter dated 22/12/2021 that the proposed mining area is included in the DSR report. The State Government was asked to confirm that the issue of conservation of riverine wildlife biodiversity will be fully addressed during the proposed mining as per direction given by the CWLW of the state Government. The State Government has informed that the User Agency has mentioned in its letter that all instruction of CWLW of Uttarakhand State will be followed during the proposed mining. State government was also asked to clarify whether there is any overlapping area with the proposal submitted by the State Government which was considered by FAC in its meeting on 19.12.2020. The State Government has informed that the Song River Mussoorie River 64.00 Hectare is situated in Bhopalpani compartment no. 8 of Mussoorie Forest Division of Mussoorie and 628.80. Hectare areas of proposals consider by FAC on dated 19.12.2019 are situated in forest areas of Dehradun Division. Hence, on ground all these areas are not overlapping to each other.
- xii. Regarding the compliance of condition for river training programme for carrying out technical strengthening of embankment by netting and bolting method along with adequate vegetative measure, it was claimed by the state that they have incurred an amount of ₹80,88,695/- has incurred for river bed training and no change in the river course. However, no detail of expenditure incurred on the forest conservation activities in accordance with directions contained in the Hon'ble Supreme Court order dated 28.03.2008 has been mentioned in the compliance report. As this was a specific condition, the State Government did not furnish a satisfactory report.
- xiii. The State was asked to provide details and evidence of the expenditure incurred of forest conservation and protection from the revenue earned from the sale proceeds against the extant approval in accordance with directions

contained in the relevant orders of Hon'ble Supreme Court. The State has informed that only ₹1,20,04,298/- fund was collected in different heads and year wise amount incurred from 2005—06 to 2009-10 has been proved.

- xiv. The project proposal has been recommended by concerned authorities of State Government after expiry of lease period in 2013 and no cogent reason has been given to apply for renewal proposal after a delay of more than four years.
- xv. Committee also observed that the past record of the State for providing the information asked by the Ministry is not satisfactory. There was an extraordinary delay to provide the information by the State as per the details given below:

S. No.	Ministry's letter dated	State reply date	time taken
1.	08.11.2017	18.02.2020	2 years 3 months 11 days
2.	14.05.2020	23.06.2020	1 months 9 days
3.	08.07.2020	22.12.2021	1 years 5 months 13 days
4.	18.02.2022	17.06.2023	1 years 3 months 30 days

- xvi. To give the clarifications sought by the FAC in its meeting held on 23.04.2020, the State has taken more than 3 years' time and now the proposal was discussed in AC meeting after lapse of more than three years which shows that the state is not serious about the proposal.

- 4. Decision of the Advisory Committee:** After thorough deliberation and discussion, Advisory Committee noted that the validity of the FC proposal expired in January, 2013 and the State has submitted it for renewal in September, 2017 after lapse of more than 4 years' time. The Ministry has sought certain information from the State however, the same has not been provided by the State in stipulated time. Now more than 10 years' time has lapsed and the state has failed to submit the satisfactory compliance of the conditions stipulated in the previous approval. In view of the facts the committee has recommended that the proposal may not be considered as a renewal case and the State Government shall submit proposal afresh/*de-novo*.

Agenda No. 5

File No. 8-31/1999-FC

Sub:-Diversion of remaining 101.25 ha of forest land (Originally applied area for 192.25 ha) out of which 91.00 ha was in-principal approved) in favour of M/s Jayaswal Neco Industries Limited for mining of Iron Ore located in village Chhote Donger, District Narayanpur State Chhattisgarh - reg.

1. The above stated agenda item was considered by Advisory Committee (AC) in its meeting on 21.08.2023. The corresponding details of the agenda may be seen at www.parivesh.nic.in.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by Member Secretary before the AC. Committee was also apprised of the relevant provisions

- under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The IGF (C) Sub-office, Raipur and Nodal Officer (FCA), Government of Chhattisgarh was present in the meeting during the discussion of the above mentioned proposal.
 4. The Advisory Committee (AC) after thorough deliberation and discussion observed that:
 - i. The then State Government of Madhya Pradesh, vide their letter no. F-5/69/98/10/3 dated 05.10.1998 (07.12.1998) submitted the proposal for non-forestry use of 192.50 ha of forest land in favour of M/s Jayaswal Neco Limited for iron ore mining in Naranpur District of Chhattisgarh.
 - ii. MoEF&CC, after examination of the said proposal, vide letter dated 11.08.2004 granted Stage-I approval for non-forestry use of 91.0 ha of forest land with a view to allow controlled and phase wise mining.
 - iii. Initially, proposal of the user agency, submitted by the then Government of Madhya Pradesh, was rejected by the Central Government on 30.11.1999 in view of the fact that Hon'ble Supreme Court has banned felling of green trees in Bastar pristine forest area, located deep inside the forest and involves felling of 28,12 trees.
 - iv. Subsequently, the FAC in its meeting held on 12.10.2000 and 21.06.2004 considered the policy issue relating to grant of iron ore mining in Bastar District wherein the State Government was requested to inter-alia to submit a Mining plan for this area in consultation with experts. Cluster approach should be adopted wherein only 200 to 300 ha of forest land should be opened up at a time. In accordance with the aforementioned facts, the FAC in its meeting held on 21.06.2004 recommended only 91.0 ha of forest land for 30 years out of 192.25 ha of forest applied for diversion with a view to allow mining in phase wise manner. Condition of Phased mining schedule was also included in the Stage-I approval dated 11.08.2004.
 - v. Adverting to the schedule indicated in the Stage-I approval dated 11.08.2004, the State Government vide their letter dated 21.12.2006 submitted compliance report in respect inter-alia stating that User Agency has sought permission for mining only in respect of 35.74 ha of forest land. Ministry after considering the request of State Government granted approval (Stage-II) for non-forestry use of 35.74 ha of forest land on 18.01.2007.
 - vi. The State Government vide their letter dated 28.04.2020, referred the request of the user agency to consider the balance area of 101.25 ha of forest land for prior approval of the Central Government under the Forest (Conservation) Act, 1980.
 - vii. Proposal for Stage-II approval in respect of 55.26 ha (out of 91 ha) and Stage-I approval for balance area of 101.25 ha was placed before FAC in its meeting held on 28.10.2021.
 - viii. FAC in view of the fact that after following due process of approval given under the Act, the MoEF&CC has already granted Stage-I approval over part of the total forests in the lease area and also justification submitted by the State Government for not able to do work on the diverted forest area of the State Government was considered plausible, FAC recommended the proposal for the Stage II approval for 55.260 ha (for which Stage I approval has been obtained 21.4.2004). The balance area of 101.25 ha will be considered on

merit later on. Accordingly, Ministry vide its letter dated 01.02.2021 accorded Stage-II approval for diversion of 55.260 ha forest land.

- ix. FAC has not given any timeline for consideration of 101.25 ha for Stage-I approval. However, the Stage-1 approval dated 11.08.2004 makes it clear that the approvals in the instant case have been considered in a phase wise manner by the Ministry.
- x. Further State Government on 23.09.2022 requested to consider diversion of remaining 101.25 ha forest land (Originally applied area for 192.25 ha). However, it was observed that the State Government has not given any specific reason or justification as to why the remaining area be considered at this stage. Any change in the status of utilization of the 91.00 ha or change in the ground situation since 28.10.2021 when the proposal was considered by the FAC was also not given. The same were sought from the State Government vide Ministry's letter dated 03.11.2022. Further, IRO, Raipur was also requested to furnish their comments in this regard.
- xi. As per records the details of existing land use of the project area is as below:

S. No.	Particulars	Proposed Area (ha)	Diverted area (ha)	Remaining area
1.	Mining	157.31	62.91	94.4
2.	Overburden	2.0	2.0	
3.	Waste Dump	8.0	8.0	
4.	Safety Zone	8.0	8.0	
5.	Others	2.0	2.0	
6.	Approach road	14.94	8.09	6.85
	Total	192.25	91.0	101.25

- xii. State Government vide letter on 15.06.2023 submitted the justification for need of the 101.25 ha and it was stated that: -
 - a. The iron ore requirement of the company's existing steel plant is 3.64 MT per annum. As per the approved mining plan only 2.95 MT per annum of ROM can be produced. Out of which about 40 per cent subgrade will be generated. This subgrade iron ore after beneficiation in captive plant is being used in merchant washery district Balod Chhattisgarh situated on the way to captive steel plant. The graded product is obtained 75 percent. In this way, 2.65 MT per year iron ore will be available for use in the captive plant while the requirement of the plant is 3.64 MT per year. The company is still procuring iron ore from the open market to meet its requirement.
 - b. The mining is carried out in 91.00 ha of diverted land according to the approved mining plan. The iron ore reserves in the entire 192.25 ha area are 38.40 million tonnes and with the current mining capacity (2.95 million tonnes per year), the mine will run only for 13 years and after increasing the capacity (6 million tonnes) the mine will run for 06 years only. And if the remaining 101.25 ha area is not allotted, the iron ore reserves in the field will reduce and get exhausted in the coming years. Further, the company has not expanded the existing plant but

- has set up a new plant for which environment clearance and land acquisition have already been done. If there is no expansion, then the investment made for the upcoming projects will go in vain. Due to which the company will suffer huge loss.
- c. This company is the only one big industry in the entire Narayanpur district so far. After the availability of the 101.25 ha area, the mining capacity will be increased, as a result of which the CMR in the area will be increased and there will be development and more employment will be received.
- xiii. Sub-Office, Raipur vide letter dated 06.07.2023 informed that: -
- a. The mining activity has been started after work permission from the forest department. After land clearance tree cutting was started in i.e. year 2019 in the forest land for the start of mining over 30.74 ha. The production of Iron ore started from the month of June 2021 and Production was to the tune of 8678 Tonnes. Further on 3rd July 2021, there was naxal attack happened resulting in the loss of a supervisor and machineries engaged in mining. Later, again mining started in the month of Oct. 2021. The first dispatch from that mine was in the same month. Continuing production from the month of December 2021, total production in the year 2021-22 is 86,428 and in year 2022-23 is 11,46,098 Tonnes. In the current financial year 2023-24, the production of 1st quarter period i.e. from April 2023 to June 2023 is 6,12,995 tonnes
 - b. The User Agency has started its operation quite late. As per the record. the agency has broken 52.811 ha area so far. Trees have been felled in the area being used for mining currently, in hauling path, screening area and one of the two proposed road. Remaining area has not been broken or disturbed so far.
 - c. Yield of graded product is in tune of 75% and the Iron ore available for use at captive plant per annum is only in the tune of 2.65 MTPA against requirement of 3.64 MTPA. Hence the company is buying Iron Ore from open market to fulfil its requirement. If the mining capacity will be enhanced, it will result in more employment. revenue generation of State Govt. development in the region under CSR and other measures. This will also help promote more industries in the region. In way it will help to bring the local residents in main stream and assist in reducing/eliminating LWE activities in the area.
5. AC took note of the reply submitted by the State Govt and Sub-Office Raipur as stated above. AC also observed that PCCF (Wildlife) vide letter dated 28.01.2020 mentioned that Schedule-I species like Leopard, Hyena, Bear, Gaur, and Indian Boa, etc. have been reported in the area and with a view to mitigate the impact of project on wildlife, a Wildlife Management Plan with financial provisions of Rs. 105 lakhs have been proposed to be implemented in the area.
6. AC observed that User Agency has started its operation quite late. As per the record. the agency has broken 52.811 ha area so far. Trees have been felled in the area being used for mining currently, in hauling path, screening area and one of the two proposed road. Remaining area has not been broken or disturbed so far.

7. AC observed that the area proposed for diversion is having a good canopy density. Out of 101.25 ha of forest land proposed for diversion, 52 ha is very dense and 16 ha is medium dense forest as per DSS. AC observed that as per DSS report proposed area for diversion classified as Inviolable or in High Conservation Value (HCV) Zone based on Decision Rule 1 (due to Hydrological rule and presence of compact Very Dense Forest patch having area more than 1 sq km) and Decision Rule 2 (Out of 13 Grids, 12 Grids are having score more than 70).
8. AC also observed that the compliance report wrt the Stage-II approval accorded by this Ministry vide letter dt dated 01.02.2021 for diversion of 55.260 ha forest land is not submitted by the State Govt.
9. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with IGF (C) Sub-office Raipur and Nodal officer (FCA), Govt. of Chhattisgarh. After going through the facts of the proposal and submissions made AC observed that the area sought for diversion in the instant proposal as per the DSS report is classified as Inviolable or High Conservation Value (HCV) Zone based on Decision Rule 1 (due to Hydrological rule and presence of compact Very Dense Forest patch having area more than 1 sq km) and Decision Rule 2 (Out of 13 Grids, 12 Grids are having score more than 70). Further, out of the 91 ha area for which approval has been accorded the user agency has only broken 52.811 ha area so far.
In view of the above, the AC decided that in view of the area being inviolable and is high conservation zone as per DSS analysis, the present proposal cannot be acceded to and therefore AC recommended to reject the instant proposal.

Agenda No. 6

File No. 8-16/2021-FC

Sub: Regularization of 330.33 ha. (330.1826 ha as per DGPS Survey) of forest land in Upperlakesaram Forest Block in Manthani Range of Peddapalli Division for Open Cast Mining Operations and Other Activities of SCCL in Peddapalli District in favour of M/s SCCL. (Online proposal No. FP/TG/MIN/47899/2020). –regarding.

1. The above stated agenda item was considered by Advisory Committee (AC) in its meeting on 21.08.2023. The corresponding details of the agenda may be seen at www.parivesh.nic.in.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by Member Secretary. The Committee was also apprised of the relevant provisions under other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The IGF (C) Sub-office, Hyderabad and Nodal Officer (FCA), Government of Telangana was present in the meeting during the discussion of the above mentioned proposal.
4. The Advisory Committee (AC) after thorough deliberation and discussion observed that:
 - i. The present proposal is for Regularization of 330.33 ha. (330.1826 ha as per DGPS Survey) of forest land in Upperlakesaram Forest Block in Manthani Range of Peddapalli Division for Open Cast Mining operations and other activities of SCCL in Peddapalli District.

- ii. The proposed 330. 1826 is part of RG Coal Mine and RG OC III and forms part of 6848.00 Ha of South Godavari Mining Lease which has been renewed for 3rd time for a period of 20 years from 01.01.2015 to 31.12.2034, vide G.O Ms. No.02 dated 12.01.2015 by the State Government.
- iii. The detailed land-use plan of 330.1826 ha is as below: -

SL No.	Description	RG Coal mine (Ha)	RG OC-III (Ha)	Total (ha)
1.	Quarry	257.996	22.055	280.0561
2.	Dump	0	0	0
3.	Safe Barriers	4.905	3.1987	8.103
4.	Nalah	0	4.326	4.326
5.	Bund	0	4.5556	4.5556
6.	Roads	0	0	0
7.	Other Infrastructures (Roads, HT lines , office buildings, Quarters etc	27.929	5.218	33.147
	Total	290.83	39.3526	330.1826
	Grand total			330.1826

- iv. Following mines form part of 6848.00 Ha of South Godavari Mining Lease (with Forest land of 606.5826 and 6241.4174 Ha of Non Forest land). Individual Mining Plans have been approved by the Ministry of Coal and the same is mentioned below:

S. No.	Name of Mine	Reference of the Ministry of Coal
1	GDK No.1&3 Inclines	F.No.13016/2/2006-CA II, dt.17.10.2014
2	GDK No.2&2A Incline	F.No.13016/2/2006-CA II dt. 17.10.2014
3	GDK No.5 Incline	F.No. 13016/6/2013-CA II, Dt.25.11.2014
4	GDK Coal mine	F.No. 38011/12/2017-PCA, dt. 22.04.2019
5	GDK No. 10 Inclines	Part of RG Coal Mine approved Vide MoC, GoI, F.No.55026/1/2020-CPAM, dt.08.08.2020
6	Vakilpalli Mine,	Part of RG Coal Mine approved Vide MoC, GoI, F.No.55026/1/2020-CPAM, dt.08.08.2020
7	GDK No.11 Incline	F.No. 13016/3/2016-CA II,dt. 31.08.2016
8	RGOC-1 Exp.	F.No. 13016/2/2006-CA II,dt. 17.10.2014
9	RGOC-II Ext,	F.No.13016/3/2009-CAII/Pt1, dt.06.09.2016
10	RGOC-III Exp.II	F.No. 38011/12/2017-PCA, dt. 17.06.2019

- v. The SCCL had taken over the possession of 448.90 Ha land in Upperlakesaram as Government land from the Revenue Department and since 1973 the company has been doing Mining Operations in this land. The present proposal for regularization of 330.1826 Ha land for Upperlakesaram mining in Ramagundam is part of this 448.90 ha under possession of SCCL.
- vi. SCCL submitted two surface diversion proposal i.e 308 ha and 104 ha in Manuguru area. Total area applied for diversion was (308+104=412.40 ha). In lieu of this

- diversion of 412.40 ha in Manuguru area, SCCL handed over 412.40 ha of NFL (patta and govt. land) in Ramagunda (part of Upperlakesaram block and part in other village)
- vii. In 2000, SCCL submitted application of diversion of this 412.40 ha (which was handed over to Forest Dept. as CA land wrt to diversion of 308 ha and 104 ha mentioned above and notified as RF) for underground mining and 247 ha on same piece of land for open cast. This proposal was accorded Stage-II dt 02.05.2008.
 - viii. Further, SCCL submitted another application for diversion of (from UG rights to surface rights) 147.42 Ha of forest land (out of 165.40 Ha having UG rights which) OC-II expansion project leaving 17.98 Ha under UG right.
 - ix. While processing this proposal, it came to the notice that mining operations are being carried out in the adjoining area since 1973 presuming it as Revenue land but found to be part of Upperlakesaram Forest Block and notified as RF in the year 1944 and this fact was not updated in the Maps of Forest Department. This 448.90 Ha land in Upperlakesoram is now discovered to be forest land and not revenue land & notified as RF during 1944 under the Hyderabad Forest Act u/s 7 in the Gazette no. 3 dated 19th Azoor 1353 F and U/S 10 dated 98th Bahman 1353 F (to an extent of 1109 Ac & 22 Guntas).
 - x. In this regard this proposal for diversion of (from UG rights to surface rights) 147.42 Ha of forest land (out of 165.40 Ha having UG rights which) OC-II expansion project leaving 17.98 Ha under UG right was granted Stage-II on 01.08.2013 with the following condition No. stating that:
 - 2 (ix) *The State Govt. shall create and maintain penal CA on additional non-forest land twice in extent to the 118.57 ha forest land located in the Upperlakesaram Reserved Forest which was utilized for creation of CA treating it as non-forest land from funds realized from the User Agency.*
 - 2(xi) *State Government shall create and maintain penal compensatory afforestation from funds realized from the user agency over degraded forest land twice in extent to the portion of the 448.90 Ha of forest land in the Upperlakesaram Reserved Forest Block kept under possession by the SCCL without obtaining approval under the Forest (Conservation) Act, 1980, after excluding the 118.57 ha (overlapped in 412.40 ha) of forest land which was utilized by SCCL for creation of compensatory afforestation (CA) considering it as non-forest land for which penal CA has separately been stipulate. {i.e. $2 \times (448.90 - 118.57) = 330.33$ } = 660.66 ha}.*
 - xi. Accordingly, the balance area of 330.33 Ha (448.90 – 118.57) is utilized by SCCL without approval of diversion.
 - xii. The SCCL after taking over from the Revenue Department, a part of this 448.90 ha, ie., to an extent of 118.57 Ha was actually furnished to State Government as C.A land (N F L) by for another project of PKOC-II, Manuguru and this was accepted by the Forest department as non-RF for C.A purpose.
 - xiii. The MOEF & CC, GOI vide letter No. F.N.8-109/2005-FC (vol) dated 01.08.2013 had accorded final approval for diversion of 147.42 Ha of forest land which included the 118.57 ha of land which was earlier part of this 448.90 ha which was

(118.57 ha) in turn had been given by SCCL against NFL for an earlier diversion proposal and accepted by the State Government.

- xiv. Thus, while according approval for diversion of 147.42 ha of forest land a part of which was the 118.57 ha land which was earlier offered as CA, SCCL was directed to regularize the remaining 330.1826 Ha of the 448.90 ha. Hence the proposal for regularisation.
- xv. The Environment Clearances have also been obtained for these mines in 330.1826 and details are furnished below:

S. No	Name of the Mine	Environment Clearance Ref. No. & Date	Total project area (Ha)	Extent (out of 330.1826 Ha)
1	RG Coal Mine (Amalgamation of RGOC-1, Vakilpalli Mine, GDK 10)	i) Vakilpalli Under Ground Mine No.J1105/29/68/LA-II, Dated 14.08.1989	4326.08	290.83
		ii) RG OC I No. 13016/2006-CA-II Dated 17.10.2014		
		iii) Godavarikhan i 10 Under Ground Mine No. 11015/7/84.EN. 5 Dated 11.07.1985		
2	Ramagundam OC-II	No. 38011/12/2017-PCA Dated 17.06.2019	2070.10	39.3526
Total				330.1826

- xvi. The breakup of the forest land within the South Godhavari Mining Lease (SGML) is as follows:

S. No	Forest Land	South Godavari Mining Lease
1	330.1826	330.1826
2	412.4000 (inclusive of 118.57Ha)	276.4000
Total	742.5826	606.5826

- xvii. The MoEF &CC, GOI, has accorded forest diversion orders for 412.00 Ha. Details are as follows:

S.no	FL Diversion ref no	Date	Total Area	Surface rights	UG Rights
1	MOEF &CC, GOI vide letter No. F.N.8-109/2005-FC	02.05.2008	412.00	247.00	165.40
2	MOEF &CC, GOI vide letter No. F.N.8-109/2005-FC (Vol)	01.08.2013	165.40	147.42	17.98
3	Ref No.RG3/EST/FL/104-G/124 dated 09.07.2020 & online proposal no. FP/TG/MIN/47657/2020	Proposal submitted	17.98	Proposal submitted for Underground rights to surface rights was considered in AC meeting held on 17.07.2023 and the	

				same was rejected by this Ministry on 21.08.2023.
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- xviii. The SCCL has handed over 237.45 Ha of Non-Forest land (as detailed below), against the diversion of 118.57 ha of forest land which was part of the 448.90 ha (330.1826 + 118.57) mutated in favour of the Forest Department and non-encumbrance certificate has already been submitted as informed during the inspection. This 237.45 double in extent to the diverted 118.57 ha was in compliance of the stipulation (xiv) of Ministry's approval vide dt 19th July 2012 for diversion of total 147.42 ha.
- xix. SCCL has also paid C.A charges of INR 5,96,04091/- for raising C.A in 237.45 Ha, into CAMPA A/C through RGTS. These lands were taken over by the Forest Department.
- xx. The SCCL has already paid against of diversion of 412.00 ha the complete NPV (INR 1729 lakhs) for surface use area of 247 Ha and 50% NPV (INR 578.90Lakhs) for underground use area of 165.40 Ha. Out of this area of 165.40 Ha (underground) an area of 147.42 Ha was again diverted to surface use and balance NPV of 50% has been paid. This was confirmed in the report of the State Government.
- xxi. However, No NPV has been paid for 330.1826Ha by SCCL. But, SCCL has paid an amount of INR.14, 47, 81,601 (INR Fourteen crores fort seven lakhs eighty-one thousand and six hundred one only) through RTGS into CAMPA account (No-SBHYHI3067304841) for raising the compensatory afforestation in 660.66 Ha of degraded forest land against the present proposal for diversion of 330.1826 ha.
- xxii. The Compensatory Afforestation areas on degraded forest land have been identified in Bhupalapally Division and so far 32 patches have been raised with years of planting ranging from 2014-15 to 2021-22.
5. AC observed that the KML files of the instant and other proposal were sought from the State Govt. But the complete KML files are not received with the State Govt. letter dated 15.07.2023.
6. AC also observed that, the State Govt. was requested to identify the areas outside notified forests for the CA purpose as per the decision taken in FAC meeting held on 27.01.2021. Further, the State Government was also requested to submit the KML files, CA suitability certificate and CA scheme. In this regard the State Govt. has informed that MOEF, while granting Stage- I for 147.42 Ha of Surface rights from UG vide F. No.8-109/2005-FC (vol), dated 19.07.2012, and amended on 23.07.2013. Subsequently granted stage-II vide F.No- 8-109/2005-FC(vol), dtd 01.08.2013. While granting Stage-I the MoEF, imposed penal condition regarding 448.90 Ha (118.57+330.33) for penal C.A.
7. AC observed that from the site inspection report submitted by Sub-office, Hyderabad that the working plan document ie., the Compartment History for this compartment (working plan for the period 1992-93 to 2001-02) it is recorded that the land is having mixed forest with site quality VI and density 0.1 with age class of 10 to 30 years and goes on to mention that natural regeneration is poor and has wildlife like bear, wild boar, rabbit and wildcat etc. while the fact is that the land was under mining with SCCL

from 70s. The record maintenance in both the forest and revenue department with respect to this particular area needs improvement to avoid such instances in future.

8. AC observed that the instant area proposed for diversion is already under mining without approval. It was informed by the Nodal Officer, Govt. of Telangana that the status of this area was not known to revenue Dept., Forest Dept. and SCCL that it is a forest land.
9. **Decision of the Advisory Committee:** The Committee had detailed discussion and deliberation with IGF (C) Sub-office Hyderabad and Nodal officer (FCA), Govt. of Telangana. After going through the facts of the proposal and submissions made, the Committee desired that the IGF(C), Sub-office Hyderabad to provide clear recommendation with regard to the applicable penal provisions (CA & NPV) in consultation with the State Nodal Officer and also check the compliance wrt the CA land and plantation in the overlap/related matters within next 15 days and IGF (C), Sub-Office Hyderabad shall present before the AC for further consideration of the instant proposal.

Agenda No. 7

F. No. 8-08/2021-FC

Subject: Diversion of 139.86 ha forest land in compartment No. RF276 & PF-277, 278, 279 of Village- Muhair and Padri, Range Baidhan of Singrouli Forest Division for Block-B Expansion Opencast Coal Mining in favour of M/s Northern Coalfield Limited in Singrauli District of Madhya Pradesh State (Online No. FP/MP/MIN/44294/2020) - regarding.

1. The agenda item was considered by the AC in its meeting held on 21.08.2023. 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 (FCA), Government of Madhya Pradesh attended the meeting. They had participated in the deliberation.
4. While deliberating on the proposal, AC observed that:
 - i. Originally the Government of Madhya Pradesh, vide their letter no. F-1/823/2021/10-11/912 dated 09.03.2021 submitted the proposal for diversion of 631.39 ha (instead of 622.783 ha) forest land of Survey No. RF-276, 281 & PF -277, 278, 279, Village- Muhair and Padri, Range Baidhan in Singrouli Forest Division for Block-B Expansion Opencast Coal Mining in favour of M/s Northern Coalfield Limited in Singrauli District of Madhya Pradesh seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980 wherein it has been found that:

- a. As per the Site Inspection Report (SIR) of DFO and the CCF, Singrouli Forest Division it is reported that "the Forest Compartment No. RF 276, 281, PF-277, 278 and 279 which are proposed for diversion under Singrouli Forest Division are falling in the Elephant Corridor as per the Forest Division prevailing working scheme".
 - b. The State Govt. has intimated that in another proposal of 467.809 ha pertaining to Dudhichua mine and 390.264 ha pertaining to Bina Kankri the Chief Wildlife warden has opined that the said corridor has been fragmented and the proposed area is also a part of the same landscape. Further the NCL had earlier deposited an amount of 2134 lakhs for wildlife management in the given landscape. The Project Elephant Division of this Ministry has also submitted the comments stating that, there are no elephant corridors located in the above mentioned compartments as per the document "Right of Passage" in which elephant corridors have been identified and listed across the country.
 - c. The DSS analysis also revealed that the proposed area falls in a landscape wherein a 'W' shaped area is already broken/worked out and eastern side of this landscape is flanked by the Renusagar Dam.
 - d. The State Govt. has clarified that the safety zone on the boundary of adjoining mining leases has not been maintained because when exposed from both sides, the coal deposits are burnt up due to exothermic reaction which eventually damages the vegetation as well.
- ii. The said proposal was considered by FAC in its meeting on 13.06.2022 wherein the FAC after thorough deliberation and discussion observed that the proposal in its present form is not site specific as more than 78% of the reserve forest area which involves about 2,10,164 trees is proposed for dumping the overburden, which can be done over non-forest land. Keeping this in view the FAC rejected the proposal.
 - iii. The Government of Madhya Pradesh vide their letter no. F1/823/2021/10-11/4380 dated 29.12.2022 submitted that the user agency intends to reduce the area of forest land from the earlier proposed 622.783 ha to 139.86 ha and requested that the proposal be removed from the Rejected category so that the State can submit revised documents against the initial proposal instead of preparing a fresh one and the said request of State Government has been approved by the competent authority in the Ministry.
 - iv. Thereafter the Government of Madhya Pradesh vide their letter No. F1/823/2021/10-11/806 dated 21.02.2023 forwarded a fresh proposal to obtain prior approval of the Central Government, in terms of the Section-2 (ii) of the Forest (Conservation) Act, 1980 for diversion of 139.86 ha forest land in compartment No. RF-276 & PF-277, 278, 279 of Village- Muhair and Padri, Range Baidhan of Singrouli Forest Division for Block-B Expansion Opencast Coal Mining in favour of M/s Northern Coalfield Limited in Singrauli District of Madhya Pradesh State.

- v. The density of the proposed forest is reported as 0.3 under the Eco class 3.
- vi. The Compensatory Afforestation has been proposed over Degraded Forest land (twice in extent to the forest land proposed to be diverted) in 5 patches located under Singrouli forest division of Madhya Pradesh State comprising an area of 335 ha.
- vii. After preliminary scrutiny of the proposal, certain shortfalls regarding accuracy of the KML file of forest land proposed for diversion, accuracy of the Mining lease boundary and proposed Safety zone, updated details of Mining lease area, Mining plan etc. as per revised diversion proposal and CA land free from all encumbrances was noticed and same was communicated to the State Government vide Ministry letter dated 21.03.2023 and the State Government vide their letter dated 26.05.2023 has submitted the information.
- viii. Examination of same revealed that the State Government has not submitted the complete information and same was requested vide Ministry letter dated 26.06.2023 and the Nodal Officer (FCA), Government of Madhya Pradesh vide their email dated 31.07.2023 has provided the required/relevant information/documents.
- ix. The Member secretary informed the committee that the following activities are proposed as per the component wise breakup mentioned in present proposed area of 139.86 ha as under:

Sr. No.	Component	Forest Land (ha.)	Non Forest Land (ha.)
1.	For External Over burden dumping	92.536	0
2.	Mine coal excavation Area	43.77	203.35
3.	Forest land as Safety zone in proposed dumping	1.464	0
4.	Forest land as Safety Zone in proposed excavation	2.09	0
	Total	139.86	203.35

- x. The Member secretary also informed the committee that the following activities were proposed as per the component wise breakup mentioned in the earlier proposed area of 631.39 ha are as under:

Sr. No.	Component	Forest Land (ha.)
1.	Mine coal excavation Area	71.976
2.	For External Over burden dumping	559.416
	Total	631.392

- xi. The AC observed that out of 139.86 ha proposed forest area an area of 92.536 ha forest land is proposed for External Over burden dumping which implies that a total 66% of the forest area is proposed for dumping the overburden, which is a non-site specific activity. Also a total of 46,571 numbers of trees are marked for felling in proposed diversion of 139.86 ha forest land.
 - xii. During the discussion AC observed that still a huge chunk of forest land i.e. 92.536 ha is proposed for diversion for overburden dump and the number of trees required to be felled is very high. Further, as mentioned in the earlier proposal, non-forest land is available in the vicinity for overburden and financial viability cannot be the criterion for using forest land when non-forest land is available for dumping.
- 5. Decision of the Advisory Committee:** The AC after thorough deliberation and discussion observed that more than 66% of the reserve forest area which involves about 46,571 trees is proposed for dumping the overburden. The dumping of the overburden is not a site specific activity therefore the State Govt. shall explore the other alternatives over non-forest land for the same. Since, only bare minimum forest land can be allowed to be diverted therefore the State Govt shall examine this aspect in detail and give its recommendations along with a detailed report accordingly.

Agenda no. 8

File No. 8-68/2018-FC

Sub: Non-compliance of condition regarding Violation-Proposal for non-forestry use of 75.635 ha of forest land within the limits of Paradip Port Trust at Paradip coming 'under jurisdiction of Rajnagar Mangrove Division/ Jagatsinghpur District, Odisha for development of Outer Harbour including Wester Dock & mechanization of existing operational berth by M/s Paradip Port Trust· Compliance to the GoI observations regarding.

1. The agenda item was considered by the Advisory Committee in the meeting held on 21.08.2023. The corresponding agenda note may be seen at www.parivesh.nic.in. Nodal Officer (FCA), Odisha did not attend the meeting, however, the DDGF (central), MoEF&CC's RO at Bhubaneswar was present in the meeting.
2. The Member Secretary placed all the facts and background of the proposal, along with examination of the proposal in the DSS, before the AC for examination and analysis. The Committee was also apprised of the provisions of other Acts, Rules and Guidelines relevant to the proposal and their significance.
3. The AC after through deliberation and discussion observed that:
 - i. The above mentioned proposal has been granted Stage-I approval vide this Ministry's letter dated 31.12.2018. Compliance of Stage-I approval was submitted by the State vide their letter sated 19.06.2020. However, examination of the same in the Ministry revealed that compliance of condition no. (iv) of Stage-I approval inter-alia stating that "*the State Government shall initiate action for violation as per the provisions of Government of India Guidelines 11-42/2017-FC dated 29.01.2018*" was not reported by the State Government. Accordingly, shortcomings were conveyed to the State Government vide this Ministry's letter dated 21.08.2020.

- ii. The Government of Odisha, in respect of the condition no. (iv) has informed that the Collector & Magistrate, Jagatsinghpur, vide his letter dated 28.12.2020 reported that Aahar Kendra is an outlet for supply of food to poor and needy people at a nominal rate of ₹5/- in urban areas at places of public congregation such as near hospital bus stand, railway station, courts, collectorate etc., under a social welfare scheme "Aahar Programme" launched by Govt. of India. Beneficiaries of this programme are mostly patients, attendant of patients, construction workers, labourers, rickshaw pullers, auto drivers, street children, rag pickers etc. One such Aahar Kendra was set up by Govt. of Odisha near Paradip bus stand during 2016 over a small patch of vacant land having few remnant / relics of old structures of Paradip Port Trust constructed during its beginning period in 1970s under the impression that the land was already under non forestry use by the Paradip Port Trust before the Forest (Conservation) Act, 1980 came into force. So, it is an inadvertent action. Moreover, the Paradip Port Trust has already paid Penal NPV as per direction of Govt. of India, MoEF&CC for the violation of Forest Conservation Act. Therefore, the Collector, Jagatsinghpur has proposed not to penalise Paradip Port Trust further for the same violation for a structure set up by Govt. of Odisha.
- iii. The above justification given by the state was considered in the FAC meeting held on 17.09.2021. The FAC in its meeting after thorough deliberation and discussion with PCCF/Nodal Officer Odisha and RO Bhubaneswar observed that the violation has been recorded and the same was reported by different authorities at the time of decision taken for grant of Stage-I approval for the project. As per the provisions of FCA 1980 there is no scope to condone the penalty against the grant of unauthorised permission to use forest land for any non- forestry purpose. There is no new material fact before FAC that suggest that the permission for use of forest land without approval under FCA 1980 was not a violation. The request of State Government, therefore, cannot be accepted. Further State government is requested to submit the compliance of the conditions specified in the Stage-I approval so that the proposal can be granted Stage-II approval as per the procedure.
- iv. The Government of Odisha has submitted the same reply and informed that the DFO, Mangrove (WL) division, Rajnagar and RCCF, Bhubaneswar Circle has reported that based on the Possession Register of the Structures/Shopping cum Residential units of the Aahar Kendra furnished by the Paradip Port Trust, it is clear that the building was allotted as republic store since 1965 and later on it is being used as an Aahar Kendra. The said building existed prior to 1980 and has been renewed many times since 1965 and a copy of the register indicating the existing allotment of land for republic store during 1965 duly attested by the Superintending Engineer (Harbor), Engineering Department, Paradip Port Authority has been provided.
- v. Further, it has been informed that the Aahar Kendra is an outlet for supply of food to the poor and needy people at a nominal rate of ₹5/- in urban area at places of public congregation such as near Hospital, Bus Stand, Railway Station, Court etc under a social welfare scheme "Aahar Programme" launched by Govt. of Odisha and the beneficiaries of this programme are mostly patients, attendant of patients, construction workers, labourers, rickshaw pullers, auto drivers, street children, rag pickers etc.

- vi. The Committee examined the copy of the Possession Register provided by the State and found that one entry in last column has been made in the name of the Republic Store which was established in 1965 and given for 3 years for stationary shop.
4. **Decision of the Advisory Committee:** After thorough deliberation and discussion Advisory Committee noted the facts submitted by the State and documentary evidence of the Aahar Kendra being established in 1965 and keeping in view the fact that the area was under non-forestry use prior to 1980, the committee therefore recommended that no further penal action against the concerned officials is required. However, the penal compensatory levies, if already paid, shall not be refunded.

Agenda No. 9

File No. 8-47/2002-FC

Sub: Proposal for seeking prior approval of the Central Government under Section-2 (ii) of the Forest (Conservation) Act, 1980 in favour of Department of Water Resources Govt. of Odisha for non-forestry use of 139.319 (originally proposed area 159.895 ha) of forest land for construction of Chheligarh Medium Irrigation Project in R. Udaygiri Block of Gajapati District of Odisha-Stage-1 compliance regarding.

1. The above subject agenda item was considered by the Advisory Committee in its meeting held on 21.08.2023. The corresponding agenda note may be seen at www.parivesh.nic.in. Nodal Officer (FCA), Odisha did not attend the meeting, however, the DDGF (central), MoEF&CC's RO at Bhubaneswar was present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC 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. Advisory Committee after through deliberation and discussion observed that:
 - i. The above quoted proposal was accorded Stage-I approval vide Ministry's letter dated 17.10.2002 subject to conditions prescribed therein.
 - ii. The Government of Odisha vide their letter no. dated 24.06.2022 submitted compliance report of the conditions stipulated in Stage-I approval dated 17.10.2002, after almost 20 years after Stage-I approval.
 - iii. After the examination of the compliance report the Ministry asked the State for KML files of the diverted area, proposed CA areas, revised tree enumeration list, delay in submission of the compliance report, status of R&R plan and reason of change in the area and complete compliance of the FRA certificate.
 - iv. The State informed that that the entire area involved in the project is 574.032 ha, out of which 139.319 ha is the forest land proposed for diversion. The rest 434.713 ha is the non-forest land (186.750 ha non-forest land + 247.963 ha private land). Further, it has also been informed that originally the forest land proposed for diversion was taken up as 159.895 ha based upon physical

verification and the RoR furnished by the Tahasildar concerned. The DGPS survey of the forestland proposed for diversion was taken up owing to Ministry's guidelines dated 08.07.2011 and after DGPS survey actual forest area required for the project comes to 139.319 ha. So status of the forest land over 139.319 ha has been certified by the Tahasildar concerned and the user agency has submitted the Stage-I compliance for obtaining final approval under Section-2 (ii) for the entire forest area of 139.319 ha involved in the project. It has also been mentioned that there is no change in non-forest land. due to reduction forest areas.

- v. The state has informed that as per the revised tree enumeration the number of project affected trees are 5164.
- vi. The state has informed that the reason for delay is attributed to mass agitation by local public objecting to the project because of issues related to submergence, displacement, loss of livelihood & social security. They attacked offices & site several times. As the project is located in LWE affected zone, it was decided not to take any drastic law and order step; rather to motivate & convince people on the importance of the project for smooth execution of work. The delay was mostly on the process taken to convince people resulting in ordinate lag in execution of the project.
- vii. The state has submitted KML files and after analysing the KML file on DSS, violation has been observed in the proposed forest land. Construction of Bridge and Metal road and also excavation work in 2022 was noticed.
- viii. The UA has deposited an amount of ₹9,27,39,100/- for NPV earlier @5.8 lakhs per hectare for 159.895 ha. However, the NPV has now been realized for an area of 139.319 ha forest area in the revised rate @₹9,57,780/-. Total NPV of ₹13,34,37,000/- have been deposited in this proposal for 139.319 ha.
- ix. The CA has been provided on equivalent non-forest land i.e. 159.978 ha. Accordingly, the amount of CA has been deposited by the UA for 159.895 ha which is access as per the requirement.
- x. Non-forest Land to the extent of 159.895 ha has been transferred and mutated in favour of the State Forest Department and the same has been notified as Protected Forests under Section 33 of Orissa Forest Act, 1972 vide Notification No 10F(Div)-9/2015/1338/F&E dated 19.01.2016The entire area involved in the project is 574.032 ha, out of which 139.319 ha is the forest land proposed for diversion. The rest 434.713 ha is the non-forest land (186.750 ha non-forest land + 247.963 ha private land).
- xi. As the proposed project is located at an approx. distance of 8.75 km from Lakhari Valley wildlife sanctuary. The state informed that the Eco-Sensitive Zone of the Lakhari Valley wildlife sanctuary has been notified vide S.O.No.2681 (E) dated 25.07.2019. It is stated that " the Eco-Sensitive Zone be to an extent of three (3 K.M.) uniform around the boundary of Lakhari Valley Wildlife Sanctuary" and the area of eco-sensitive zone is 244 Sq Km. Thus, applicability of clearance from Standing Committee of NBWL is not required.

- xii.** Site Inspection Report submitted by the RO Bhubaneswar was also examined by the Committee which states that some violation has been found in the proposed area. A report from the State government has been sought on nature and extent of violation and action taken thereof. The DIGF (C) has inspected the land identified for compensatory afforestation. 159.895 ha of non-forest land has been identified for compensatory afforestation and the area has also been declared as Protected Forest. During inspection settlement were found in Debra and Jhadrandiba. It was also observed that there are signs of shifting cultivation in the identified CA site and there is a non-metalled road passing through the CA area. In this regard the state has informed that the then Conservator of Forests, Berhampur Circle had conducted the field inspection on 06.04.2002 and at that time clearly mentioned that no violation was noticed. The IRO, Bhubaneswar has noticed some violation after elapse of 20 years. However, the Divisional Forest Officer, Paralakhemundi Division has already issued show cause notice to the Superintending Engineer, Chheligada, Heads works Division, Mahendragarh, Gajapati for violation of the Forest (Conservation) Act, 1980 vide his office memo No.4123 dated 05.11.2022 after taking up field inspection on 04.11.2022 and also endorsing the copy of same to higher quarters.
- xiii.** The DIGF (C) has also reported that the delay was because of mass agitation by local public objecting to the project for issues related to submergence, displacement and loss of livelihood and social security. As the area was LWE affected area, so the delay was due to time taken to motivate and convince the people.
- xiv.** The Committee noticed that an area of 0.970 ha forest land has been allowed to be used under Section 3(2) of Forests Right Act vide Memo No.13/Oct/2017 dated 18.10.2017 for construction of an approach channel (Irrigation Canal) in the Kuanpada village. The bed and inside slope excavation was done with due permission, to avoid congestion. As regards the present status of work, concrete channel with stone packing in the slope has been done, to prevent soil erosion.
- xv.** DFO, Parlakhemundi division has reported that the detail area of construction / violation under FCA, 1980 is 0.10 ha. The construction work started in December 2016 and has been completed by March 2018. It has been also reported that the same was done inadvertently, without any intention to violate FC Act.
- xvi.** In this proposal total catchment area is 17,450 Ha, out of which 1,690 ha is forest area. The Scheme for the Catchment Area Treatment Plan has been prepared at current wage rate over an area of 1690 Ha. The CATP scheme submitted includes 650.00 ha of plantation in ANR mode @ 500 plants per ha with maintenance up to 10 years; and having site specific SMC measures like staggered trenches, percolation pits, contour trenches, wire mesh LBCD, WHS etc. over an area of 217.00 ha with 5 years' maintenance. The same has been approved by the Chief Conservator of Forests, Forest Diversion and Nodal Officer, FC Act with a financial outlay of ₹10,10,06,700/-. The committee observed that the state should explore the feasibility of including more areas in the Catchment area plans within the command area.

- 4. Decision of the Advisory Committee:** After thorough deliberation and discussion with DDGF (Central), RO Bhubaneswar the Committee recommended to revise /modify the Stage-I approval for diversion of 139.319 ha instead of 159.895 ha of forest land subject to the General, Standard and following specific conditions:
- i.** The compensatory Afforestation shall be raised over the identified 159.895 ha non-forest land which has been notified as Protected Forest under Section 33 of Orissa Forest Act, 1972 vide Notification No 10F(Div)-9/2015/1338/F&E dated 19.01.2016. Keeping in view the involvement of violation of FCA, 1980 the reduction in CA area from 159.895 ha shall not be allowed, and the excess area and amount shall be considered as penal levies.
 - ii.** The committee observed that total catchment area of the project is 17450 ha, out of which 1690 ha is forest land. The state has intimated that the CAT plan has been prepared for 1690 ha forest area, which is just 9% of the total catchment. Keeping above in view, the Catchment Area Treatment Plan should include prescriptions and treatment for the entire catchment as per site requirements. The CAT Plan shall therefore be revised as per guidelines and additional funds be deposited accordingly.
 - iii.** The State Govt. shall take action for violation as per provisions contained in para 1.21(ii) of the Handbook of guidelines dated 28.03.2019.

Agenda No. 10

File No. 8-280/1989-FC (Vol)

Sub: Proposal for non-forestry use of 417.073 ha & Re-diversion (Change of Land use) of 171.774 ha forest land in respect of Integrated Lakhanpur-Belpahar-Lilari Opencast Project of Lakhanpur area in district Jharsuguda in Odisha, Mahanadi Coalfields Limited.

- 1.** The above subject agenda item was considered by the Advisory Committee in its meeting held on 21.08.2023. The corresponding agenda note may be seen at www.parivesh.nic.in. Nodal Officer (FCA), Odisha did not attend the meeting, however, the DDGF (central), MoEF&CC's RO at Bhubaneswar was present in the meeting.
- 2.** During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC 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.** Advisory Committee after through deliberation and discussion observed that:
 - i.** The proposal was earlier considered in the meeting of FAC held on 13.06.2022, wherein the FAC desired that a joint team comprising of officers from the IRO, Ranchi, O/o Nodal Officer (FCA), Odisha and MoEF&CC, New Delhi may visit the area and submit an unambiguous report on detail of forest area involved in the project/lease area vis-à-vis area approved in the Mining Plan, approval granted under the FC Act, 1980 and updated status of compliance of conditions stipulated therein, suitability of CA (NFL) area in

terms of its manageability by the State Forest Department, reclamation measures, etc.

- ii.** The team visited the area during 14.07.2022 to 15.07.2022 to ascertain the various facts as per the observations of the FAC made in its meeting held on 13.06.2022 and submit the detailed report. Report of the joint team concluded the following:
 - a. Compensatory afforestation has been proposed over equivalent non-forest land and additional degraded forest land has also been proposed for CA to accommodate the surplus trees. Area identified for raising afforestation are suitable from the management view point.
 - b. Three leases viz. Lakhanpur, Belapahar and Lilaru have been proposed to be integrated into a single lease.
 - c. Total project area is 4742.877 ha, including 996.388 ha of forest land. Out of the total project area, an area of 4399.426 ha is proposed for integrated project after eliminating 343.631 ha of area falling outside the lease. The total area of individual leases is 4133.33 ha.
 - d. Out of total forest land, approval under the Forest (Conservation) Act, 1980 has been obtained for an area of 541.622 ha of forest land.
 - e. Mining Plan, for Integrated Lakhanpur-Belpahar-Lilari Opencast Project of 40 MTPA has been approved by MCL in the year 2018 and the project components proposed in the extant proposal are in conformity with the components proposed in the approved Mining Plan
 - f. Reclamation detail of the area are satisfactory and the same is being taken up as per the approved Mining Plan. So far, an area of 366.15 has been reclaimed by the user agency.
 - g. Committee further observed a comprehensive detailed report on the status of compliance of conditions stipulated in the approvals granted also needs to be in place to take further decision on the proposal.
- iii.** The proposal was thereafter considered in the meetings of FAC held on 17.10.2022, 23.01.2023 and 23.02.2023 wherein the FAC observed that a comprehensive detailed report on the status of compliance of conditions stipulated in the approvals granted also needs to be in place to take further decision on the proposal. Accordingly, FAC decided that the RO of the Ministry at Bhubaneswar will submit a detailed report on the status of the compliance of various conditions stipulated in the approvals granted for an area of 541.622 ha of forest land and after receipt of the said compliance report, the proposal will be again submitted before the Committee for further consideration.
- iv.** RO, Bhubaneswar vide letter dated 23.12.2022, submitted a report on the status of compliance of conditions stipulated in the approvals granted by the Ministry in the past. The RO submitted the monitoring report in respect of 7

approvals granted by the Ministry in the past for diversion of forest land, change in land use and re-diversion.

- v. As per condition stipulated in the approval granted for 12.70 ha of forest land, disciplinary action and legal proceedings against the erring officials for committing violation of Forest (Conservation) Act, 1980 has been stipulated. From the monitoring report, it appears that action have been initiated by the State authorities in 2004 but updated status has not been provided.
- vi. Similarly, with regards to site specific Wildlife Management Plan (WLMP), it is mentioned that Plan has been prepared and corresponding financial budget has been deposited by the user agency in to the account of CAMPA during 2011-2012. However, status of implementation of the provisions approved in the WLMP and expenditure incurred thereon has not been commented upon by the IRO.
- vii. As per the submitted KML files, the DSS analysis was seen by the AC and it was observed that the analysis of the KML file of the already diverted forest area i.e., 541.622 ha is essential for better understanding of the proposal.
- viii. The Ministry has given 541.622 ha forest land in past in following proposals:

Sl. No	Name of the project	MoEF File No.	Area diverted (in Ha.)	Date of Stage-I approval	Date of Stage-II approval
1	Belpahar OCP	8-104/91-FC	103.520	26.11.1991	02.06.2000
2	Lakhanpur OCP	8-280/89-FC	233.430	One time approval	08.10.1990
3	Lilari OCP	8-281/89-FC	162.200	One time approval	31.07.1990
4	Belpahar OCP	8-104/1991-FC (Vol-I)	19.700	17.02.2012	15.09.2014
5	OPGC	8-93/ 2012-FC	10.453	10.09.2013	19.01.2015
		5-ORA 155/2012 -BHU	12.319	22.05.2017	10.01.2020
TOTAL			541.662		

- ix. Monitoring have been reported on the following seven proposals:

S. No.	Subject	Area approved (in ha)
1	Diversion of 12.70 ha of forest land assigned for safety zone in earlier approval for mining of coal in respect of Lilari opencast project in favor of Mahanadi Coalfield Limited in district Jharsuguda Odisha	12.70
2	Diversion of 19.70 ha of revenue forest land (16.90 ha for mining of coal + 2.80 ha to be maintained as safety zone) for coal mining by M/s Mahanadi Coalfields Ltd. At Belpahar expansion OCP, Lakhanpur area in Jharsuguda district of Odisha	19.70
3	Change of land use plan of 25.238 hectares of	25.238

	forest land from earlier diverted forest land under safety zone (now within area retained for future expansion) and infrastructure area for coal mining by M/s. Mahanadi coal fields limited in their 10 MTY expansion project of Lakhanpura OCP in Jharsuguda district, Odisha	
4	Re-diversion (change of land use plan) of 84.399 ha forest land from the area earmarked as safety zone and infrastructure development for coal mining by M/s Mahanadi Coalfields Limited in 10 MTPA expansion project of Lakhanpur opencast coal mining project in Jharsuguda district, Odisha	84.399
5	Diversion of 103.52 ha of forest land for Belpahar opencast project in IB valley area of sambalpur district in favour of Mahanadi Coalfields Limited	103.52
6	Diversion of 162.20 ha of forest land for Lilari opencast project of South Eastern Coalfields in Sambalpur district	162.20
7	Diversion of 233.43 ha of forest land for Lakhanpur open cast coal mining project in Sambalpur district	233.43
	Total	0

- x. Keeping above in view, the committee observed that Ministry has given re-diversion and change in land use permission earlier as well and the State has not provided all such details.
- xi. It has also been observed that in 6 proposals 541.662 has been approved for diversion earlier and the mining plan was different for all. Now the UA has submitted an approved integrated mining plan which was approved in 2018. The all 6 proposals have now been integrated for which change of land use of 171.77 ha area has been proposed. The proposal for its integration is under process at GoI level. Because of mining operations are going in the earlier diverted area in which land use change is being sought, therefore, there is a possibility that the mines will have been operating as per the latest land use which have not been approved under FCA till date. The committee also does not know about those areas which have been approved for change in land use and re-diversion earlier.
- xii. The Committee in its last meeting asked the state to provide project wise KML files of the earlier diverted area. However, the State has submitted the comprehensive KML file only.
- xiii. The Committee in its last meeting also asked the State to intimate the status of implementation of the WLMP and expenditure incurred thereon. The State has informed that the Site-Specific Wildlife Mitigation plan earlier the state submitted that SSWMP has been prepared and corresponding financial budget has been deposited by the user agency into the account of CAMPA during 2011-2012. However, status of implementation of the WLMP and

expenditure incurred thereon had not been given. The State government was asked to provide the detail in this regard. It was submitted by the state government that the PCCF(WL) and CWLW approved the SSWMP on 30/6/2023 only. While the User agency has carried out some of the project area interventions, it is seen that interventions like engagement of fire watchers, solar fencing and wild animal watchers were not done even after the passage of so many years. Impact area activities in both the cases have not been done and not even incorporated in the CAMPA APO even after the money was deposited by the UA in 2014. The state has not offered any explanation for this delay.

- xiv.** The Committee in its last meeting asked the state that the monitoring report of the RO Bhubaneswar in respect of the approval of 12.70 ha noticed that action has been initiated by the State authorities in 2004 but updated status has not been provided. The state has informed that that OR case No. 113 of 96/97, OR Case No. 120 of 97/98, OR case No.125 of 97/98, OR case No.17 of 1999/2000, OR case No.18 of 1999/2000 of Belpahar Range have been booked against the MCL authorities at that time. Further, the DFO of erstwhile Sambalpur Forest Division has also issued show cause notice against MCL authorities i.e. Sri A.K. Sharma, Ex. C.M.D, MCL, Sri B.N. Mishra, Ex-GM and Sri A.K. Bandopadhyaya, Ex-Project Manager, Lilari OCP. The DFO had also seized two nos. of dumpers under Section-37 and 56 of Orissa Forest Act which were forcibly taken away by the offenders. In this regard, a GR case has also been registered in Belpahar Police Station vide Belpahar P.S. Case No.33-1999/2000. It was observed that the Prosecution report in the above cases has not been filed.

- 4. Decision of the Advisory Committee:** After thorough deliberation and discussion with DDGF (Central), RO Bhubaneshwar the Committee decided to defer the proposal with the following observations:

- i.** The proposal wise KML file of the 541.622 ha forest area which has been already diverted shall be submitted by the State government in different colours.
- ii.** The RO Bhubaneswar has submitted the monitoring report for the proposals which were approved for change in land use of 25.238 ha and re-diversion of 84.399 ha. The details of these earlier re-diversion proposals and change in land use with KML file in different colours shall be submitted.
- iii.** The UA has submitted an approved integrated mining plan which was approved in 2018. The area involved in 6 different diversion proposals has now been integrated for which change of land use of 171.77 ha is proposed. Because mining operations are going in the earlier diverted area in which land use change is being sought, therefore, there is a possibility that the mines will have been operating as per the latest land use plan which has not been approved under FCA, 1980 till date. The report on this issue shall be submitted by the State.

- iv. State Government shall submit the status of reclamation of the mined out area and explore the possibility of using them for ACA. A detailed report shall be submitted.
- v. The State shall submit a detailed report on implementation of SSWLMP along with the justification for delay in implementation.
- vi. The justification for not filing the Prosecution report in the violation cases shall also be submitted.

Agenda No. 11

File No. 8-08/2023-FC

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 in favour of M/s Rungta Mines Ltd. for non-forestry use of 156.978 ha of forest land (147.803 ha in Bonai Forest Division & 9.175 ha in Keonjhar Forest Division) for Iron Ore Mining and ancillary activities with in Jumka Pathiriposhi Pahar Iron Ore Block under Forest Division and District Sundergarh and Keonjhar of Odisha State-reg.

1. The above subject agenda item was considered by the Advisory Committee in its meeting held on 21.08.2023. The corresponding agenda note may be seen at www.parivesh.nic.in. Nodal Officer (FCA), Odisha did not attend the meeting, however, the DDGF (central), MoEF&CC's RO at Bhubaneswar was present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC 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. Advisory Committee after through deliberation and discussion observed that:
 - i. Government of Odisha vide letter no. 10F (Cons)-12/2023 dated 03.03.2023 submitted the proposal online for the diversion of 156.798 ha of forest land (147.803 ha in Bonai Forest Division & 9.175 ha in Keonjhar Forest Division) in respect of Jumka Pathiriposhi Pahar Iron Ore Block of M/s Rungta Mines Ltd. of Bonai Forest Division and Keonjhar Forest Division under Sundergarh and Keonjhar district of Odisha.
 - ii. Government of Odisha, pursuant to the Mines and Minerals (Development and Regulation) Act, 1957 and the Mineral (Auction) Rules, 2015 as amended from time to time, issued notice inviting tender dated 07.07.2021 to commence the auction process for grant of mining lease for Jumka Pathiriposhi Pahar Iron Ore Block over an area of 158.509 ha for Iron Ore located in Koira Mining Circle. District-Sundargarh and Keonjhar Mining Circle. District-Keonjhar, Odisha. The e-Auction process was conducted in accordance with the tender document for the said mineral block on 24.09.2021 and Rungta Mines Ltd. was declared as the Preferred Bidder' under Rule 9(9)(ii) or Rule 10 (1A) of Auction Rules, having quoted highest Final Price Offer vide letter No. MXIII(b) 46/2021/7738/DM Dated

05.10.2021 issued by Director of Mines, Government of Odisha. Accordingly, pursuant to Rule 10(2) of the Auction Rules and the terms of the Tender Document, the Government of Odisha issued Letter of Intent (LoI) bearing No. IV(B)SM-49/2021/8716/SM, Bhubaneswar dated 28.10.2021 for grant of Mining Lease for Jumka Pathiriposhi Pahar Iron Ore Block for Iron Ore located in 20 km south of Koira town in Kedeshala village, Koira Tahasil, Sundargarh district on 158.509 ha area to Rungta Mines Ltd. for a period of 50 (fifty) years

- iii. The validity of LoI is for a period of 3 (Three) years from the date of its issuance on 28.10.2021, within which all the conditions stipulated therein need to be fulfilled and the Mining Lease deed has to be executed between the Rungta Mines Ltd. and the Government of Odisha Mining plan along with progressive Mine Closure Plan of Jumka Pathiriposhi Pahar Iron Ore Block over an area of 158.509 ha has been approved by Indian Bureau of Mines (IBM), Bhubaneswar vide letter No. MP/A/18-ORI/BHU/2021-22 dated 24.11.2021
- iv. Density of vegetation is 0.6 and Eco-Value Class-1. The major species among flora available in the applied area in respect of Bonai Division are Sal (*Shorea robusta*), Sidha (*Lagerstroemia parviflora*), Kusum (*Schleichera oleosa*), Baru (*Ficus bengalensis*), Ilarida (*Terminalia chebula*), Bahada (*Terminalia belerica*), Char (*Buchanania lanjan*), Jamu (*Syzygium cumin*), Asan (*Terminalia tomentosa*), Kendu (*Diospyros melanoxylon*), Kumbhi (*Careya arborea*), Mango (*Mangifera indica*) etc. Fauna such as Elephant, Wild boar, Hanuman langur, Indian Hare, Indian Palm Squirrel, Jungle Cat, Rat and different types of Snakes and Birds got recorded from the applied area. Similarly, the DFO, Keonjhar Division, in Site Inspection Report has reported that the density of vegetation is 0.6 and Eco-Value Class-I.
- v. The prevailing vegetation in the forest land proposed for diversion includes Sal and its associates. The geological formation of this area is quite suitable for growth of Sal Sal constitutes around 70 to 75% of the top canopy. As per tree enumeration list the floral species area Gamar (*Gmelina arborea*), Piasal (*Pterocarpus marsupman*). Sal (*Shorea robusta*), Sahaja (*Terminalia tomentosa*). Jamun (*Syzygium cuminij*), Kendu (*Diospyros melanoxylon*) & other Misc. Species are present in the applied forest land.
- vi. Total nos. of trees in Bonai Forest Division (above 30 cm girth) over forest land proposed to be diverted (147.803 ha x 220.63 nos.) has been calculated to 32,610 nos. (including 932 nos. within safety zone area). 4,651 nos. of poles under 30 cm girth has been enumerated over the area. Thus, in Bonai Division 32,610 nos. of trees above 30 cm girth and 4,651 nos. of trees/poles below 30 cm girth have been enumerated. Similarly, in Keonjhar Division total 3,732 nos. of trees are above 30 cm girth and 1,717 trees/poles below 30 cm girth have been enumerated over the applied area.

Hence in Both Divisions total no. of trees enumerated above 30 cm girth is 36342 and below 30 girth is 6368.

- vii.** The proposed site is about 0.5 Km distance from the Sarkunda and Nalaria PRF under Bonai Division. The applied area does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. However, movement of wild elephants occasionally in the proposed forest blocks applied for diversion is noticed. The project area is 20.95 Km distance from the Karo-Karampada Elephant Corridor.
- viii.** The DFO, Bonai and Keonjhar Division have reported that the total land involved in the grant of Lol for mining lease over 158.509 ha which includes 147.803 ha of PRF in Bonai Division and 9.175 ha revenue forest land & 1.531 ha non-forest land in Keonjhar Forest Division.
- ix.** An extent of 3.746 ha of land comes under the Safety Zone area of the project which comprises with 5.748 ha of forest land & 0.268 ha of non-forest land.
- x.** Terms of Reference (ToR) has been issued by Ministry of Environment, Forest and Climate Change, Impact Assessment Division vide No IA-J-11013/2/2022-1A-11 (NCM) dated 18.02.2022 with production capacity of 3.35 million TPA Iron ore with a total excavation of 3.98 MTPA (0.63 million TPA of waste). As per Mining Plan, the mining operation will be fully mechanized opencast with development of benches of height up to 10m and width upto 20m. The conventional opencast method with utilization of excavator of capacity upto 4.5m, dumpers of capacity up to 50 MT, rock-breakers, deep-hole drilling blasting will be adopted. During mining operation period from 2026-27 (27.10.2026 to 31.03.2027) to 2028-29, mining operation will be done in one quarry. The proposed mining area and other area of the lease is already proved mineralized at G2 level by 85 no. of boreholes completed by GSI & MECI. as per GR. provided with the Tender Document. The applied ML area has been delineated in Survey of India Toposheet No.F45N1. (73G/1). This applied area does not form part of any National Park/ Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve. There is no archaeological monument or defence establishment within the applied area.
- xi.** Compensatory Afforestation area has been identified over 156.978 ha of non-forest Govt. land in village Deri under Banspal Tahasil, BJP Range of Keonjhar Forest Division. The Land Schedule of 147.803 ha and 9.175 ha Non-Forest Govt. land have been allotted by the Collector, Keonjhar vide his letter No.273 dated 11.02.2022.
- xii.** Compensatory Afforestation Scheme over an area of 156.978 ha of non-forest land at the current wage rate of ₹333/- per man day as per the one-time cost norm having provision for ANR Plantation @500 plants per hectare over 50.00 ha and @1600 plants per ha over 5 ha with 10 years maintenance. As per joint verification carried out for identified non-forest land at village Deri in Khata No.53 (AAA) in 19 plots with Kisam of land as

on 25.10.1980 has been furnished with certificates duly signed by Forest & Revenue authorities. Further, for balance area 9.175 ha of non-forest land in the same village and Khata No. has also been identified with required certificates and due verification by both forest and revenue authorities.

- xiii.** Addl. CA land has been identified by the DFO, Keonjhar Division over an area of 183.722 ha. of degraded Forest land in Jadipada RF of Keonjhar Forest Division and the scheme has been prepared at the wage rate of ₹333/- per man day with 10 years maintenance as per the one-time cost norm to accommodate the balance number of seedlings. The scheme has been prepared for provision of AR Plantation @1000 seedlings/ ha over 92.946 ha. ANR Plantation @ 500 seedlings/ha over 74.237 ha and ANR Plantation @ 200 seedlings/ha over 8.00 ha. In the scheme there is provision for soil & moisture conservation over the entire area of 183.722 ha.
- xiv.** The financial outlay of CA scheme over 156.978 ha non-forest Govt. land is ₹3,16,01,200/- (Rupees Three Crore Sixteen Lakhs One Thousand Two hundred) and the financial outlay of Addl. CA scheme over 183.722 ha degraded forest land is ₹5,57,79,500/- (Rupees Five Crore Fifty-seven Lakhs Seventy-nine Thousand Five hundred) only as per approved one-time cost norm with 10 years maintenance.
- xv.** The total benefit due to the proposed project comes to ₹4,59,445.601 Lakhs. The total loss due to proposed forest diversion has been calculated to be ₹4,034.53859 Lakhs. The total loss due to proposed forest diversion has been calculated to be ₹1,124.25389 Lakhs. Hence, the Cost-Benefit Ratio is coming to 1:89.06.
- xvi.** the Mining Plan has been approved by the Indian Bureau of Mines vide their Letter No.MP/A/18-ORI/BHU/2021-22 dated 24.11.2021. The Mining plan with progressive mine closure plan is provided.
- xvii.** Regional Wildlife Management Plan and Site Specific Wildlife Conservation Plan has also been provided by the State.
- xviii.** No violation has been reported by the State.
- xix.** The Collector, Sundargarh and Keonjhar has issued Certificate under the Forest Rights Act, 2006 over 156.978 ha of forest land. The Certificate along with Gram Sabha Resolution both in Odisha and English, proceeding of SDLC and DLC meeting have been provided.
- xx.** The State Government and other authorities have recommended the proposal for approval under FCA, 1980.
- xxi.** There is no displacement of people due to the project Hence, no rehabilitation plan has been envisaged as reported by both the DFOs of Bonai & Keonjhar Division.
- xxii.** Jumka Pathiriposhi Pahar Iron Ore Block over 158.509 ha comprises of 156.978 ha of forest land and 1.531 ha of non-forest land. This non-forest area is available as Govt. non-forest land in the lease hold area in 2 plots i.e. Plots No.27 measuring 0.497 ha and Plot No.72 measuring 1.034 ha. The Non- Forest land measuring 1.531 ha is located at extreme North and South

end of the block area and has been proposed for infrastructure like temporary office, rest shelter, workshop, weighbridge etc. covering 1.187 Ha, mine road covering 0.076 Ha and safety zone of M.L boundary covering 0.268 ha. However, the non-site-specific activities like over burden dumping (7.301 Ha), Infrastructure (1.813 ha of forest land in Bonai Division and 1.187 ha non-forest land in Keonjhar Division = 3.0 ha), mineral stack yards (9.290 ha) and ore processing site (3.820 ha) covering total area of 23.411 ha. will be required for proposed mining operation.

- xxiii.** The above non-forest area over 1.531 ha is insufficient to accommodate all the non-site specific activities as mentioned above. So, the project proponent has proposed to use the forest land for the above non site specific activities for smooth mining operation. As Dumping is an essential component of proposed mining operation, it is proposed that 7.301 Ha of non-mineralized forest land to be used within proposed block. As this proposed dumping site will be able to accommodate the waste for 9 years only, after the commencement of mining operation, after exhaustion of iron ore in some part of the mining pit these waste material will be used for reclamation through backfilling of exhausted part of quarry at that time, with simultaneous rehabilitation with native plant species & grass. Other temporary activities like storing of mineral, mine road, infrastructures have been proposed in the forest land within block, which will be utilized for mining in subsequent years.
- xxiv.** Satellite imagery showed illicit felling of trees. However, the state has intimated that no tree felling has been noticed inside the forest area proposed for diversion.
- xxv.** Regarding 5 years mining plan the state has informed that as per Rule 23 of MCDR, 2017, the holder of a mining lease shall submit to the competent authority (Indian Bureau of Mines) a progressive mine closure plan as a component of the mining plan, at the time of submission, modification and review of the mining plan". In progressive mine closer plan, the activities related to reclamation by backfilling of mine waste and simultaneous rehabilitation by native plant species is shown as nil for the 1st five (5) years. There will be no production during 2 years i.e. from 27.10.2024 of financial year 2024-25 upto 26.10.2026 of financial year 2026-27. Thus the production may start from 27.10.2026 of financial year 2026-27 from 3rd year onward (Chapter-4 of Page No.1/11). As Iron ore will not be exhausted in the mine pit during 5 years plan period, no backfilling and rehabilitation activities have been proposed in the PMCP for the 5 years plan period. So, to meet the requirement of above said statutes, the mining plan (under Rule 16 of MCR, 2016) with progressive mine closure plan (under Rule 23 of MCDR, 2017) of Jumka Pathiriposhi Pahar Iron ore block was approved for 5 years only by Indian Bureau of mines on 24.11.2021. Since, the mining plan of Jumka Pathiriposhi Pahar iron ore block has been prepared and

approved by I.B.M. only for 5 years, the mining plan can't be prepared for entire life of the mine at once.

- xxvi.** Approved Comprehensive Regional Wildlife Management Plan for Keonjhar and Bonai Division has been examined and noted that this plan was approved by the Govt. of Odisha vide Letter No.22295/F&E dt.30.12.2005 with provision for deposition of ₹15,000/- per ha. and ₹11,000/- per ha. of mining lease area, as the case may be, for implementation of mitigative measures. Subsequently, due to enhancement of minimum wage rate and escalation of material cost, the cost norm has been revised to ₹82,000/- per ha. to be realized over the entire mining lease area vide Letter No.26159/F&E dt.05.12.2018. The said norm is still continuing. During the intervening period, the Wildlife Trust of India was entrusted by the State Govt. with preparation of Odisha State Comprehensive Wildlife Management Guidance (OSCOW-MAG), and now based on the said Guidance submitted by WTI on 25.01.2021, various management interventions are being carried out every year, on priority, in those areas from where the approved cost towards RWLMP @ ₹82,000/ ha. has been realized.
- xxvii.** DFO, Keonjhar Division has reported that the applied forest land in village Jumka Pathinposi Pahar under Bauspal Tahasil of BJP Range of Keonjhar Division is the dwelling habitat for Elephant, Bear, Barking Dear, Hyena, Porcupine etc. Wild Elephants often visit nearest Sarkunda and Nagaria PRF under Bonai Division and the adjoining Forest Blocks.
- xxviii.** The State was asked as to how the requirement of water, electricity and road will be met in the instant case as both rail and road heads seem far from the proposed area. The State has informed that for drinking purpose (97 KLD), and surface water (0.15 cusec) for different purposes - water sprinkling on haulage road for dust suppression, horticultural and other plantations, Dry screening & crushing plant for dust suppression & Miscellaneous, the project proponent has obtained permission for allocation of surface water from DOWR, Govt. of Odisha, vide Letter No.736/WR, dated 09.01.2023 and permission to extract groundwater from Central Ground Water Authority (CGWA), vide Letter No.CGWA/NOC/INF/ORIG/2023/18140 dated 11.04.2023. Further the state has also informed that the UA has already applied two different proposals for additional area for diversion of 3.104 ha of forest land for Transmission line and 13.077 ha of forest land for road. A comprehensive proposal has not been submitted by the State Government.
- xxix.** The area falls in Habitat Zone-2 as per the Remote sensing application for characterization of elephant habitat and corridor in Odisha and part of Bihar. The study done by the Odisha Remote Sensing Application Centre (ORSAC), Bhubaneswar and reported during September,1999. The HEC data of last 5 years in the both the divisions as given below:

Sl.No	Division	Human kill	Human injury	Crop depredation (Acres)	Damage to houses	Cattle Kill
1	Bonai	28	15	458.95	717	4
2	Keonjhargar	44	49	11431.937	870	0
3	TOTAL	72	64	11890.887	1587	4

xxx. Further it is important to note that more than 300 deaths of elephants have also been reported in Odisha on account of HEC.

xxxi. The area proposed for diversion is falling in High Conservation Zone as per the decision Rule 1 and 2 of DSS.

4. Decision of the Advisory Committee: After thorough deliberation and discussion with DDGF (Central), RO Bhubaneswar the Committee decided to defer the proposal and recommended to constitute a sub-committee to visit the area, examine the proposal holistically, and give recommendations in view of the area being in High Conservation Zone as per Decision Rule 1 and 2 of DSS, and human animal conflict situation. As per extant Rules and guidelines a comprehensive proposal including the road and transmission line was required to be submitted, whereas the state has mentioned that separate proposals are being submitted for road and transmission line. The committee shall therefore also examine the necessity and justification of the separate proposals for road and transmission line. The committee shall comprise of the following members:

- i.** Shri Manoj Pant, Non-official member of the Advisory Committee.
- ii.** Shri AT Mishra, DDGF (Central), MoEF&CC's RO Bhubaneswar.
- iii.** Shri Sushant Nanda, PCCF cum Nodal Officer (FCA). Government of Odisha.
- iv.** Dr. Dheeraj Mittal, AIGF, MoEF&CC, New Delhi.

The committee shall submit its report with a period of 15 days.

Agenda No. 12

File No. 8-02/2023-FC

Sub: Proposal for seeking prior approval of the Central Government under Section-2 (ii) of the Forest (Conservation) Act, 1980 in favour of M/s Thriveni Earthmovers Private Limited for non-forestry use of 94.351 ha of forest land including 4.261ha of safety zone (3.858 ha along the ML boundary and 0.403 ha along the PWD road) within the granted LoI for MI over 131.800 ha for Laserda Pacheri Manganese & Iron Ore Block in Keonjhar district of Odisha – reg. (Online Proposal no. FP/OR/MIN/149499/2021).

- 1.** The above subject agenda item was considered by the Advisory Committee in its meeting held on 21.08.2023. The corresponding agenda note may be seen at www.parivesh.nic.in. Nodal Officer (FCA), Odisha did not attend the meeting, however, the DDGF (central), MoEF&CC's RO at Bhubaneswar was present in the meeting.

2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC 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. Advisory Committee after through deliberation and discussion observed that:
 - i. Government of Odisha vide letter No. FE-DIV-FLD-0002-2023-381/FE&CC dated 07.01.2023 submitted a proposal to obtain prior approval under section-2 of the Forest (Conservation) Act, 1980 for non-forestry use of 94.351 ha of forest land including 4.261 ha of Safety Zone (3.858 ha along the ML boundary and 0.403 ha along the PWD road) within the granted LoI for ML over 131.800 ha in Laserda Pacheri Manganese & Iron Ore Block of M/s Thriveni Earth Movers private Limited in Keonjhar district of Odisha.
 - ii. Government of Odisha, Steel & Mines Department issued the Letter of Intent (LoI) vide letter No.IV(MISC)SM-06/2017/848/SM, Bhubaneswar dated 27.01.2017 under Rule 18(1) of Mineral Auction Rules 2015 for grant of Composite License (CL) in favour of M/s Thriveni Earthmovers Pvt. Ltd (TEMPL).
 - iii. The total area over 131.800 ha consists of 53.467 ha of Revenue Forest, 40.884 ha of Non-Forest land recorded as forest as on 25.10.1980 and 37.449 ha of Non-Forest land.
 - iv. The area proposed for diversion does not form a part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Elephant Corridor.
 - v. No archaeological heritage/ defence establishment or any other important monuments located in the proposed area for diversion.
 - vi. There is no rare/ endangered/ unique species of flora and fauna in the forest area proposed for diversion.
 - vii. As per Site Inspection report of DFO, Keonjhar Forest Division, the proposed site for the project does not come under eco-sensitive zone of any protected area.
 - viii. As reported by the User Agency the project will generate permanent employment to 335 persons and temporary employment to 35 persons. The estimated cost of the project is 9600 lakhs.
 - ix. Earlier the user agency had applied FDP u/s 2 (iii) & 2 (ii) of FC Act, 1980 as per guideline dt. 01.04.2015 of MoEF, Govt. of India. Now, the user agency has rectified the application and applied the entire forest land over 94.351 ha only under Section 2 (ii) of FC Act, 1980 within the granted ML area over 131.800 ha.
 - x. The User Agency has furnished an undertaking duly countersigned by the DFO, Keonjhar Forest Division that the forest area involved in this proposal is unavoidable and barest minimum forest area.
 - xi. The State has informed that there is small patch of non-forest land available for waste dumping and other ancillary activities. Most of the non-forest land is under mineralised zone area. The User Agency has taken the available non-

forest land over 23.016 ha for the above said purpose. The forest land which is adjoining to the non-forest land and non- mineralised area is being taken for waste dump and ancillary activities like storing and sizing of mineral, mineral stacking area etc. Though the said mine is for both manganese and Iron, in Manganese the waste generation is more and sizing and storing of mineral is very vital part. In Laserda part, only 3.209 ha of private non-forest is coming which is within the proposed mining area. The above activities are very essential for mining and are shown in the Mining Plan approved by IBM.

- xii.** The total forest land located in the safety zone area of the Mining lease is 4.261 ha and non-forest land is 1.853. Hence the total safety zone area is 6.11 ha. The density of vegetation is 0.3 and Eco-Value Class-I. Total no. of tree has been enumerated above 30 cm girth is 2696 and below 30 cm girth is 4399. The tree enumeration in non-forest Private land over 35.77 ha and 1.684 ha in non-forest Govt. land will be carried out during processing of R&R plan and submitted before final approval.
- xiii.** Non-forest land of 90.493 ha (excluding 3.858 ha earmarked for Safety zone) equal in extent to the forest land proposed for diversion, the Non-Forest Govt. land over 91.00 ha in village Uperbirikala under BJP Range of Banspal Tahasil allotted vide letter No.2366/Rev dt.07.12.2021 of Collector, Keonjhar for raising Compensatory Afforestation.
- xiv.** The CA scheme has provision for AR plantation @1000 seedlings per ha over 39 ha (NFL) there by accommodating 39000 seedlings. The balance 52 ha (NFL) will be treated as ANR without gap plantation model for which provision for SMC measure has been kept over 91 ha. In order to accommodate the balance seedling of 52000 nos., the DFO, Keonjhar Forest Division has identified degraded forest land of 104 ha in Jyotipur RF under Champua Range of Keonjhar Division and prepared the CA Scheme over an area of 104 ha of degraded forest land at the current wage rate of Rs.333/- per manday with provision for ANR plantation @500 seedlings per ha with 10 years maintenance with required SMC measure (one-time cost norm). Compensatory Afforestation schemes in respect of aforementioned Non-forest land over 91.00 ha and de-graded forest land over 104.00 ha.
- xv.** The financial outlay of CA scheme over 91 ha non-forest Govt. land identified in Uperbirikela village of BJP Range has been technically approved by PCCF (FD & NO, FC Act) for ₹2,78,03,600/-.
- xvi.** The financial outlay of Addl. CA scheme over 104 ha degraded forest land identified in Jyotipur RF of Champua Range has been technically approved by PCCF (FD & NO, FC Act) for ₹3,13,62,800/-.
- xvii.** The project involves displacement of 25 families out of which 23 scheduled tribes and 2 other category families. The User Agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Division that the approved R&R Plan will be submitted prior to final approval of the diversion proposal over 94.351 ha within 131.80 ha of mining lease area.

- xviii.** the certificate under Forest Rights Act (FRA), 2006, the LoI holder has applied to Collector, Keonjhar for issue of certificate under FRA, 2006 vide letter No.78 dated 16.10.2021. The User Agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Forest Division to submit the certificate under FRA, 2006 during the compliance Stage-I approval.
- xix.** Term of Reference (ToR) for Laserda-Pacheri block has been issued by the Director, Member Secretary, MoEF& CC, New Delhi vide letter No.87 dated 01.12.2021.
- xx.** Protection and monitoring of wildlife, wildlife habitat management, support to local forest dependent communities through proper eco-development measures etc. are some of the areas which need specific attention. Since the area is characterized by the movement of elephants, measures need to be adopted for its protection, monitoring, habitat management and mitigation of HEC issues. In the above said context, a Site-Specific Wildlife Conservation Plan is suggested to be prepared and implemented. The User Agency has submitted an undertaking duly countersigned by the DFO, Keonjhar Division to bear the cost of the said plan.
- xxi.** To reduce the impact of this project on wildlife and wildlife habitat Regional Wildlife Management Plan will be implemented at the cost of the UA.
- xxii.** Approved Mining Plan of Laserda Pacheri Iron and Manganese Block along with progressive mine closure plan over an area of 131.800 ha in Keonjhar district is given. The Mining Plan along with progressive mine closure plan is also given.
- xxiii.** The total benefit of the proposal comes to ₹126850 lakhs. The total loss on forests including environmental loss comes to ₹3244.4589 lakhs. Hence, the Cost-Benefit Ratio is coming to 1:39.09.
- xxiv.** Regarding violation of FC Act it has been noticed that a fresh lease granted through e-auction to M/s Thriveni Earthmovers Pvt. Ltd by the Department of Steel & Mines, Govt. of Odisha vide No.IV (B)SM-100/2007-433/SM, dated 19.01.2019 as a Composite License. Lol holder has carried out exploration through putting bore holes and 1 no. of trial pit of size 17m x 10 m for which Lol holders had obtained Stage-II forest clearance vide F. No. 8-62/2017-FC dt.08.10.2018 of MoEF& CC, Govt. of India. However, 3.666 ha (Forest 3.312 ha and Non-Forest 0.354 ha) of land was disturbed by old pits over 2.491 ha and 1.175 ha for road prior to grant of Composite License. Hence as per the Site Inspection Report of DFO, Keonjhar Division, the Lol holder has not violated under FC Act, 1980.
- xxv.** As per google time series analysis, pits are dug over almost last 20-25 years ago. The violation is not done by any other private agency. It is a fresh composite mining lease granted on 24.01.2019 and violation had committed 20-25 years ago.
- xxvi.** From the SIR of the DFO, Keonjhar Forest Division and RCCF, Rourkela Circle following observations have been noticed:

- a. There are 48 existing small illegal mining pits covering 2.5 ha land at least more than 10-year-old.
 - b. There are 25 nos. houses exists within sabik forest land inside lease area, needs to be rehabilitated, for which R&R work is going on.
 - c. Plenty of old Bara trees exists inside lease area not to be felled as a keystone species.
 - d. Dry seasonal first order stream in Pacheri block (Dhanurjaypur-Kanarda village) draining into Karoriver.
 - e. Seasonal Elephant movement is seen at 3 km distance from the project site.
 - f. Complete retaining wall and catch drain should be erected along Karo river side boundary of lease area including two dump site along river.
 - g. All snag trees are to be kept as such for conservation of wildlife.
 - h. Lease area and safety zone pillars are at place as per norm including demarcation of Revenue and Sabik forest land.
 - i. Tree felling as per approved mining plan must be gradual and must satisfy the criteria of bare minimum requirement.
- xxvii.** Proposed area for diversion does not fall in High Conservation Value Zone based on Decision Rule 1 and Decision Rule 2.
- xxviii.** DDGF (C) Regional office Bhubaneswar during the Site visit has noticed that a good number of old Banyan trees exists inside the lease area. These trees should be felled only when it is absolutely necessary to be felled. Efforts should be made to conserve the Banyan trees.
- xxix.** Regarding violation, it has been noticed by Regional Office that there are 48 existing small illegal mining pits covering 2.5 Ha land at least more than 10 years old. During site visit, mining pits were covered with vegetation. This illegal mining activity is not attributed to the user agency.
- xxx.** The Karo River is crossing between two blocks of the Mining lease. The mining project will affect the catchment of this Karo river. So there is a need for soil and moisture conservation measures in the rest catchment of this river and the forest lands in and around the proposed site. Safety zone with plantation of at least 50meter width may be maintained along the lease boundary close to river. The user agency will construct bridge over the Karo River to connect the two patches of the mining lease. No excavated materials should be rolled down into the Karo River.
- xxxi.** Protection and monitoring of wildlife, wildlife habitat management, support to local forest dependent communities through proper eco-development measures etc. are some of the areas which need specific attention. Since the area is characterized by the movement of elephants, measures proposed for their protection and mitigation of HEC issues are required to be examined.
- xxxii.** The Committee also observed that there is a need to examine the evacuation plan for minerals and how to meet the requirement of Water, transport and electricity.

- 4. Decision of the Advisory Committee:** After thorough deliberation and discussion with DDGF (Central), RO Bhubaneswar the Committee decided that the Nodal Officer (FCA) government of Odisha shall give a presentation before the AC on the complete proposal including the issues of elephant conservations, HEC and the details of requirement of forest land for developing water, transport and electricity facilities in the instant proposal.

Agenda No. 13

File No. 8-13/2022-FC

Sub: Proposal for seeking prior approval of the Central Government under Section-2 (ii) of the Forest (Conservation) Act, 1980 in favour of M/s Tata Steel BSL Limited (Formerly known as Bhusan Steel Ltd) for non-forestry use of 42.608 ha of forest land (16.658 ha in Keonjhar Forest Division and 25.950 ha in Bonai Forest Division) within Kalmang West (Northern Part) Block for Iron Ore Mines in Keonjhar and Sundargarh District of Odisha– reg. (Online Proposal no. FP/OR/MIN/49169/2020).

1. The above subject agenda item was considered by the Advisory Committee in its meeting held on 21.08.2023. The corresponding agenda note may be seen at www.parivesh.nic.in. Nodal Officer (FCA), Odisha did not attend the meeting, however, the DDGF (central), MoEF&CC's RO at Bhubaneswar was present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC for their examination and analysis. Committee was also apprised of the relevant provisions under other Acts relevant to the proposal and their significance.
3. Advisory Committee after through deliberation and discussion observed that:
 - i. Total area of 92.875 ha consists of Revenue and DLC forest land of 42.608 ha i.e. Keonjhar Forest Division 16.658 ha and Bonai Forest Division 25.950 ha (Revenue Forest land 10.469 ha + DLC forest land 15.481 ha) and 50.267 ha of non-forest land out of which Govt. non-forest land 30.096 ha and Private non-forest land 20.171 ha.
 - ii. Forest area falls under the Moist Peninsular Valley Sal of Eco-Value Class-I. Vegetation density of 0.5 with 3275 project affected trees has been reported. In addition to this 1,798 project affected trees have also been reported in non-forest land, thereby total project affected trees both in forest as well as non-forest land are 5073.
 - iii. Compensatory afforestation has been proposed over equivalent non-forest land of 42.608 ha of non-forest land in village Jalidih in Keonjhar District. CA scheme for afforestation of 500 plants per ha (total 21,304 plants) has been proposed while plantation of remaining plants of 21,304 has been proposed over degraded forest land of 44.002 ha in Keonjhar Forest Division. CA schemes with maintenance of 10 years has been submitted for

non-forest as well as degraded forest land involving financial provisions of ₹4,78,41,500/- and ₹3,46,51,400/-, respectively has been submitted along with the proposal. DSS analysis of the lands proposed for CA revealed them fit for afforestation.

- iv. Forest area does not form a part of any National Park/ Wildlife Sanctuary/Biosphere Reserve/Tiger Reserve etc. Elephant Habita-2 is reported in the area. The likely impacts of the project on elephant habitat include reduction of forest cover for movement of elephant and anticipated increase in human-elephant conflict issues in the nearby villages due to fragmentation of habitat. State Government has reported that a Site Specific Wildlife Conservation Plan needs to be prepared to address the above said issues and accordingly, one SSWLCP is being prepared by DFO, Bonai division as per the stipulation under Standard Condition No.19 of ToR issued by SEIAA.
- v. Committee was informed that recently a Committee, comprising of officials from MoEF&CC and Wildlife Institute of India visited the area to assess the impact of mining activities on the elephant's habitat and their movements.
- vi. Mining Plan, along with Progressive Mine Closure Plan has been approved by the IBM vide their letter dated 24.08.2020 for lease period of 50 years for a capacity of 2.95 MTPA. Evacuation of ore has been proposed through railways and roads i.e. minimum 70% of production of ore is proposed to be transported through railway and maximum of 30% will be evacuated through road.
- vii. No violation of Forest (Conservation) Act, 1980 have been reported. However, details given in the mining plan mentions that an area of 8.693 ha has been reported to be under use for road (0.726 ha, infrastructure (2.286 ha) and safety zone (5.681 ha). Nodal officer informed that Committee that a village road over 0.726 ha which is presently under use by villagers is passing through south side of the lease. As per the last Records of Rights (RoR) published on 02.01.1975 (existing prior to 25.10.1980) it has been classified as Road (Rasta). Part of the village road (0.260 ha) falls under DLC Forest and it is a pre-80 roads.
- viii. Nodal Officer (FCA) was apprised the Committee in the AC meeting 09.12.2022 with regards to encroachment apparently done on forest land, a joint verification was done to reveal that there is no encroachment in the Revenue Forest, DLC land & Non-Forest Govt. land by way of cultivation. However, on southern side, there is a habitation over 2.286 ha in non-forest land. Further, five pattas under FRA, 2006 over 4.12 acres of DLC forest land has been granted in Ghodbundani village.
- ix. The applied area does not form part of any National Park/ Wildlife Sanctuary/ Biosphere reserve, Tiger Reserve, Elephant Corridor, etc. However, movement of wild Elephants in the proposed forest blocks for diversion is noticed. The project area is 8.6 Km from the Karo- Karampada Elephant Corridor.

- x. The Compensatory Afforestation is proposed to be taken up in Keonjhar Division over 42.608 ha non Forest land identified in village Jaladihi of Bansapal Tahsil in Keonjhar district
- xi. The instant proposal was examined by the Advisory Committee in its meeting held on 09.12.2022 and the AC decided that the recommendation made by the Committee in the case of Netrabandha Pahar Iron Ore Block allotted to M/s Bhusan Power and Steel Limited (under agenda items no. 3 in the minutes of meeting of AC dated 09.12.2022) will apply mutatis mutandis to the extant proposal.
- xii. The proposal was again placed before the Advisory Committee in its meeting held on 24.03.2023. The Advisory Committee after thorough deliberation and discussion decided to defer the proposal and sought the additional information from the State Government and comments from the Project Elephant Division of this Ministry.
- xiii. The reply of the State Government and comments of PE division was taken into record.
- xiv. Further, the committee noted that the Government of Odisha has submitted a proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 in favour of M/s Bhusan Power & Steel Limited for non-forestry use of 112.621 ha of Forest land (including 1.808 ha earmarked for Safety Zone) in village Baldihi under Koira Tahasil and Koira Range of Bonai Forest Division of Sundargarh District within the block area of 139.223 ha in respect of Netrabandha Pahar Iron Ore Block in Odisha State (Online proposal no. FP/OR/MIN/26965/2017). The above said proposal was considered in the Advisory Committee meeting held on 17.07.2023 and following decisions were made.
 - a. Since many proposals of iron ore mining in this land scape are in the process at the Central Government level or being proposed for diversion. Therefore, there is a need to analyse the issue at the landscape level in order to conserve the forests and biodiversity. In this regard, detailed consultations with the State Govt authorities and other stakeholders including mining lessees shall be carried out by the DDGF (C) Bhubaneshwar by involving ministry officials and WII and report shall be submitted in 45 days.
 - b. Further, considering the present situation of mining in the area and rise in human elephant conflict the compensation mechanism for the victims by the user agencies needs to be developed.
 - c. The CSIR- NEERI has given its recommendation on carrying capacity vis-à-vis pollution in these area and the Suggested Ore Transportation Mode (SOTM) in 2014. After lapse of about 9 years, many changes in the landscape and fresh mining in the region, the State Govt. shall examine and report with justification, whether there

is a need to re-validate the said study or a need to carry a fresh study in this regard.

4. **Decision of Advisory Committee:** After detailed discussion and deliberation on the proposal with DDGF (Central), RO, Bhubaneswar, the AC decided that recommendation made under agenda item no. 11 of the proposal Netrabandha Pahar iron Ore Block in Odisha, discussed in the AC meeting held on 17.07.2023 will apply *mutatis-mutandis* to the extant proposal. The committee therefore decided to defer the proposal with following observations:
- i. Since many proposals of iron ore mining in this land scape are in the process at the Central Government level or being proposed for diversion. Therefore, there is a need to analyse the issue at the landscape level in order to conserve the forests and biodiversity. In this regard, detailed consultations with the State Govt. authorities and other stakeholders including mining lessees shall be carried out by the DDGF (C) Bhubaneshwar by involving ministry officials and WII and report shall be submitted in 45 days.
 - ii. Further, considering the present situation of mining in the area and rise in human elephant conflict the compensation mechanism for the victims by the user agencies needs to be developed.
 - iii. The CSIR- NEERI has given its recommendation on carrying capacity vis-à-vis pollution in these area and the Suggested Ore Transportation Mode (SOTM) in 2014. After lapse of about 9 years, many changes in the landscape and fresh mining in the region, the State Govt. shall examine and report with justification, whether there is a need to re-validate the said study or a need to carry a fresh study in this regard.

Agenda No. 14

File No. 8-25/2022-FC

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest (Conservation) Act, 1980 in favour of Anil Kumar Sharma Power of Attorney of Late Chandni Prasad Sharma for non-forestry use of 67.352 ha forest land for Iron & Manganese Ore Mining in village Raikela, Bahamba & Tensa under Bonai Sub-Division in Sundargarh District of Odisha (Online Proposal No. FP/OR/MIN/39199/2019)

1. The above subject agenda item was considered by the Advisory Committee in its meeting held on 21.08.2023. The corresponding agenda note may be seen at www.parivesh.nic.in. Nodal Officer (FCA), Odisha did not attend the meeting, however, the DDGF (central), MoEF&CC's RO at Bhubaneswar was present in the meeting.
2. During the meeting, all the facts and background of the proposal, along with examination of the proposal in the DSS were presented and explained by the Member Secretary before the AC 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. Advisory Committee after through deliberation and discussion observed that:
- i. Government of Odisha vide their letter No. FE-DIV-FLD-0068-2022-15274 dated 30.08.2022 submitted above subject proposal seeking prior approval of Central Government under Section-2 (ii) of Forest Conservation Act, 1980.
 - ii. The Mining lease area for Iron & Manganese Ore over 69.606 ha is located in Raikela, Bahamba and Tensa villages in Bonai Sub-Division of Sundargarh District, Odisha was granted in favour of M/s Chandi Prasad Sharma vide Govt. of Odisha, Department of Mining & Geology in Proceeding No.10903/MD, Bhubaneswar dated 25.09.1985.
 - iii. The Mining lease deed over an area of 69.606 ha was executed on 17.04.1986 for a period of 20 years from 17.04.1986 to 16.4.2006. The District Collector, Sundargarh had granted surface right over an area of 9.862 Ac (3.991 ha) vide Order No.512 dated 09.06.1986. The lessee started mining operation with effect from 15.09.1986 over the granted surface right area. Further, the District Collector Sundargarh had also granted surface right over an area of 7.860 acres (3.180 ha) vide Order No.788 dated 06.09.1991.
 - iv. The lessee had made application for renewal of the mining lease on dated 14.04.2005. Mining Operation was continued in already broken up area over 6.884 ha till 16.04.2006. The lease got expired on 16.04.2006 and the mining operations got stopped vide Office Letter No.7726/Mines Dated 17.04.2006 of Deputy Director of Mines, Koira Circle, Koira. The lessee filed Writ Petition in the Hon'ble High Court of Orissa vide WP (C) No.7623/2006 challenging the aforesaid order of stoppage of mining operations.
 - v. The Hon'ble High Court of Orissa passed an Order on 02.06.2006 which says that "if the lease in question granted in favour of the petitioner is still subsisting, he may be permitted to operate the mines in respect of the broken areas, however mining shall not be operated in virgin areas". As per the said Order of Hon'ble High Court of Orissa, the lessee resumed the mining operation from 15.07.2006 and continued till 09.03.2007 by the order of the Hon'ble High Court of Orissa in the Misc. Case No.2467/2007.
 - vi. The Divisional Forest Officer, Bonai Forest Division had raised a demand for payment of NPV for ₹4,94,32,680/- vide Letter No.2886/6F dt.05.06.2010 and the lessee had paid the above amount of NPV vide demand draft No.094765 dated 25.06.2010 in favour of Compensatory Afforestation Fund (CAF)-Odisha A/C No.CA 1585, Corporation Bank, Lodhi Road, New Delhi and after payment of NPV, the lessee was allowed to resume mining operation over the already broken up area of 6.884 ha upto one year vide order No.20258/Mines Dated 13.08.2010 of the Divisional Forest Officer, Bonai Forest Division.

- vii. The Divisional Forest Officer, Bonai Forest Division directed the lessee to stop all mining operation with immediate effect vide letter No.1210/6F dated 22.02.2011.
- viii. The mining operations in the ML started from 15.09.1986 and continued till 31.03.1994. The mining operation got temporarily stopped by the lessee w.e.f. 01.04.1994 to 31.03.1995. Again, the mining operation started from 01.04.1995 and continued till 16.04.2006. After Payment of NPV for the total forest area, mining continued till 21.02.2011.
- ix. The lease was declared lapsed w.e.f. 22.02.2013 vide Govt. Proceeding No.5947/III (B) SM 06/2010/S&M dt. 26.06.2013 The lessee challenged the lapsing order before the Revisional Authority by filling Revision Application bearing No.22/(31)/2013/RC-I, Department of Mines, Govt. of India New Delhi. The Revisional Authority vide Common order No.105/2016 to 160/2016 dated 11.05.2016 set aside the impugned order dated 26.06.2013 of the Govt. of Odisha and remanded back to the State Govt. for suitable re-consideration in line with Hon'ble Apex Court direction on the provisions of lapsing expeditiously. The Govt. in Steel & Mines Department vide their Order No.9841/S&M dated 23.11.2021 became pleased to decide not to declare and record the Iron & Manganese Mining Lease over an area of 69.606 ha in village Raikela-Bahamba-Tensa of Sundargarh District of Sri C.P. Sharma as lapsed under Rule 20 (6) of MC Rules, 2016 and amended vide MC (4th Amendment) Rules, 2021 without prejudice to any other proceeding pending against the lessee before any Court of Law or authority.
- x. As per the judgment passed by the Hon'ble Supreme Court in W.P. (C) No.114/2014 dated 02.07.2017, the lessee had been demanded a sum of Rs.10,00,20,185.687 towards compensation for production of minerals without or in excess of Environment Clearance vide Letter No.5074/Mines date 02.09.2017 of the DDM, Koira. The lessee has paid the compensation amount along with applicable interest. Further the lessee had been demanded a sum of ₹43,71,184.05 towards compensation for production of minerals made in excess of the lower of the approved limit under Mining Plan/ Consent to Operate vide Letter No.5995/Mines Date 24.10.2017 of the DDM, Koira, and the lessee has also paid the demanded amount.
- xi. The land schedule of ML area of 69.606 ha comprises of DLC forest of 52.922 ha, Revenue Forest of 5.479 ha, PRF of 8.951 ha and non-forest of 2.254 ha. The User Agency has applied for diversion of 67.352 ha of forest land including 10.684 ha (Safety Zone-2.836 ha + 50 mtr wide Nala-5.408 ha + 10 mtr along the Public Road-2.44 ha) to be maintained as Green Belt.
- xii. the proposed lease area does not form part of any National Park/ Wildlife Sanctuary/ Biosphere Reserve/ Tiger Reserve/ Eco-Sensitive Zone. There is no archaeological monument within the applied area.

- xiii. The total cost of this project is about Rs.117.03 Crores. This project will generate regular employment of 70 persons and temporary employment of 300 persons.
- xiv. The density of vegetation is 0.5 and Eco-Value Class-I. The total tree enumeration over the applied forest area of 67.352 ha is 10,116 which are above 30 cm girth. Out of this 1,875 no. of trees enumerated in Safety Zone/Green belt area of 10.684 ha are required to be maintained as such.
- xv. The Compensatory Afforestation is required over 64.516 ha (67.352 ha - 2.836 ha) of non-forest land and the same has been provided.
- xvi. The CA scheme has been prepared by the DFO, Rourkela Forest Division in Block Plantation mode @ 1600 seedlings per ha over 32 ha and 1000 seedlings per ha over 26 ha with provision of 10 years' maintenance with required SMC measures to be adopted and provision of Wire Mesh fencing around the CA land as per provision of one-time cost norm basis.
- xvii. The land suitability certificate for raising of CA furnished by the RO, Banki. Financial outlay of CA scheme has been technically approved by CCF (FD & NO, FC Act) for ₹6,55,40,000.
- xviii. The project does not involve displacement of any human habitation. Hence, resettlement and rehabilitation plan is not required for this project.
- xix. the User Agency has deposited ₹4,94,32,680/- towards NPV for the entire forest area involved in the Mining Lease on 25.06.2010 vide DD No.094965 dt.25.06.2010. Further, the User Agency has submitted an undertaking to deposit the additional NPV if so determined as per the direction of the Hon'ble Supreme Court of India.
- xx. Completer FRA certificate has not been provided.
- xxi. The User Agency has granted the Environmental Clearance vide Letter No. J-11015/481/2007-IA dtd.16.06.2008 of Govt. of India, MoEF.
- xxii. Regional Wildlife Management Plan and Site Specific Wildlife Conservation Plan has been proposed to be implemented by the SFD at the cost of the UA.
- xxiii. The Mining Plan with Progressive Mine Closure Plan have been approved by the Indian Bureau of Mines dated 03.03.2021 which is valid up to 31.03.2026.
- xxiv. Regarding violation, it has been noticed that the mining lease got executed on 17.04.1986 over 69.606 ha which includes 10.380 ha of Revenue Forest land. Execution of ML on forest land without prior approval under Forest (Conservation) Act, 1980 is a violation. Later, it has been detected that the above said ML includes 8.951 ha of Sarkunda PRF. During Site Inspection, it has been detected that 0.050 ha of PRF patch also got broken up during the previous mining activities. A forest offence case has been booked against the lessee for violation over 0.050 ha of PRF area broken up during the previous mining activities under the provision of Orissa Forest Act, 1972 vide OR No.170 (BS) of 2021-22 on 25.02.2022.

- xxv. A Temple is located inside the proposed area. The Regional office has recommended that the temple shall be kept untouched. As per the present Mining Plan the temple area has not been included.
- xxvi. Superintending Engineer, Rourkela Irrigation Division has suggested that the following measures may be taken for protection of the adjoining nala:
- a. Embankment on both side of the Nalla to be ensured for preventing Pollution of streams.
 - b. Vegetation improvement on both side of the stream needs to be ensured (50 m. on both side).
 - c. Artificial trenches (Canals) surrounding overburden dumping to be ensured for avoiding erosion of overburden to the streams.
 - d. Water quality need to be checked regularly.
- xxvii. The Hon'ble High Court of Orissa passed an Order on 02.06.2006 which says that "if the lease in question granted in favour of the petitioner is still subsisting, he may be permitted to operate the mines in respect of the broken areas, however mining shall not be operated in virgin areas". As per the said Order of Hon'ble High Court of Orissa, the lessee resumed the mining operation from 15.07.2006 and continued till 09.03.2007 by the order of the Hon'ble High Court of Orissa in the Misc. Case No.2467/2007. The present status of said case is however not known.
- xxviii. The Divisional Forest Officer, Bonai Forest Division had raised a demand for payment of NPV for ₹4,94,32,680/- vide Letter No.2886/6F dt.05.06.2010 and the lessee had paid the above amount of NPV vide demand draft No.094765 dated 25.06.2010 in favour of Compensatory Afforestation Fund (CAF)-Odisha A/C No.CA 1585, Corporation Bank, Lodhi Road, New Delhi and after payment of NPV, the lessee was allowed to resume mining operation over the already broken up area of 6.884 ha upto one year vide order No.20258/Mines Dated 13.08.2010 of the Divisional Forest Officer, Bonai Forest Division. The provision under which the permission for mining was accorded vide order No.20258/Mines Dated 13.08.2010 is required to be clarified by the State.
- xxix. The Committee also observed that there is a need to examine the evacuation plan for minerals and how to meet the requirement of Water, transport and electricity.
4. **Decision of the Advisory Committee:** After thorough deliberation and discussion with DDGF (Central), RO Bhubaneshwar the Committee decided that the Nodal Officer (FCA) government of Odisha shall give a presentation before the AC on the complete proposal including the details of court case, permissions granted and the violation of FCA,1980 in the instant proposal as well the details of requirement of forest land for developing water, transport and electricity facilities. The Nodal Officer shall also give justification as to why the mining should not be restricted to already broken up area only.

Policy Issue No. 1**F. No. 11/155/2020-FC (Pt. I)****Sub: Clarification on the guidelines dated 24.01.2022 issued by the Ministry regarding non-site specific activities in the forest areas –reg.**

1. The policy agenda item was considered by the Advisory Committee in its meeting held on 21.08.2023. 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) Ministry has issued the comprehensive Handbook of Forest (Conservation) Act, 1980 on 28.03.2019 wherein guidelines relating to non-site specific activities have been provided under para 1.15. inter-alia mentioning that ‘...normally, there should not be any justification for locating non-site-specific projects on forest land. Therefore, the State Government should scrutinize the alternatives in more details and must give complete justification establishing its inescapability for locating the project in forest area’.
 - (ii) Para 11.1 of the Handbook also mention about the residential projects in the forest area requiring diversion of forest land. Similarly, para 11.9 of the Handbook specifically mentioned that ‘The Central Government will not entertain any proposal for diversion of forest land for construction of residential or dwelling houses. However, the construction of residential houses in private forests land for construction of residential or dwelling houses in the MDDA areas of Uttarakhand over 250 sq meter of built up area may be considered by the Central Government.
 - (iii) On a request received from the IRO, Dehradun regarding discrepancies in the provisions of the guidelines given under para 1.15, 11.1 and 11.9 of the Handbook, the matter was referred to the Forest Advisory Committee (FAC) in its meeting held on 17.09.2021 and the Committee examined the matter and recommended to remove ambiguities in the guidelines. Based on the recommendation of the Committee, the Ministry issued guidelines on 24.01.2022 wherein the para 11.1 was deleted and 11.9 was retained and para 1.15 was modified as under:

“Utilization of forest area for establishing industries, construction of residential colonies, institutes, disposal of fly ash, rehabilitation of displaced persons, etc. are non-site-specific activities and cannot be considered on forest land as a rule. For that matter, no non-site specific proposal can be entertained for considering approval under the FCA 1980. In exceptional circumstances, residential projects up to one ha, can be considered for approval under FCA 1980 by the MoEF&CC, subject to appropriate justification and recommendation by the concerned State Government and the Regional Officer of the IRO of MoEFCC”.

- (iv) Recently, representations have been received from the IROs such as Shimla and Dehradun wherein advertng to the non-site specific proposals, being received from the respective State Governments, the IROs have sought clarifications in the matter.
- (v) The Advisory Committee observed that as per the extant guidelines issued by the Ministry in 24.01.2022, non-site specific purposes like establishing industries, construction of residential colonies, institutes, disposal of fly ash, rehabilitation of displaced persons, etc. cannot be considered on forest land as a rule. For that matter, no non-site specific proposal can be entertained for considering approval under the FCA 1980.
- (vi) The Advisory Committee also observed that the guidelines prevalent before 28.03.2019 (before the issuance of Handbook of Forest (Conservation) Act, 1980, the non-site specific activities to be implemented by the Government Department, involving public interests and forest area up to 1 ha were allowed in the forest area. However, said guidelines were dropped in the Handbook of Forest (Conservation) Act, 1980 published by the Ministry on 28.03.2019.
- (vii) The Advisory Committee further observed that as per the provisions of the Forest (Conservation) Rules, 2022, while considering the proposals for approval under the FC Act, it needs to scrutinised in terms of its site-specificity by the processing authorities. Non-site specific proposals pertaining to public utility, as reported by the Regional Office, Shimla and Dehradun, have been reported to be stalled due to the Ministry's guidelines dated 24.01.2022.
- (viii) The Advisory Committee further observed that the recently in the Central Government has notified the Forest (Conservation) Amendment Act, 2023 wherein certain relaxations have been provided to the public utility projects involving area up to 0.1 ha and area up to 5 ha in the LWE district. Given the existing relaxations provided in the amendment Act, it may not be prudent for the Ministry to consider non-site specific projects in the forest lands by issuing general guidelines.

3. **Decision of the Advisory Committee:** The Advisory Committee, after deliberations and discussion with the Regional Officers and official of the Forest Conservation Division, observed that as a principal no modification in the existing guidelines is needed in view of the recent amendments brought in the Forest (Conservation) Act and dispensation extended. In case of any ambiguity regarding non-specificity of a particular project, the same shall be referred to the Ministry for decision.

(not present)

(Dr. Naveen Chandra Bisht)

*(non-official Member of the Advisory
Committee)*

(confirmed through e-mail)

Shri S. D. Vora

*(non-official Member of Advisory the
Committee)*

(not present)

Shri Manoj Pant

(not present)

Dr. Dhura Ram

(non-official Member of Advisory Committee)

(confirmed)

Shri Bivash Ranjan

Additional Director General of Forests

(Member)

Addl. Commissioner (NRM)

(Member)

(confirmed)

Shri Ramesh Kumar Pandey

Inspector General of Forests

(Member Secretary)

(confirmed)

Shri S. P. Yadav

Additional Director General of Forests

(Member)

(Approved)

Shri C. P. Goyal

(Director General of Forests and Special Secretary)

(Chairperson)