

MINUTES OF MEETING OF FOREST ADVISORY COMMITTEE (FAC) HELD ON
15TH NOVEMBER, 2018

Shri Sandeep Sharma, AIGF

Agenda No. 1

File no:- 8-64/2018-FC

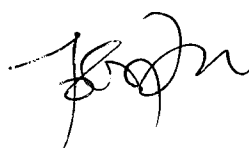
Sub: - Diversion of 56.86 ha forest land for construction of Kotgal barrage, in favour of Executive Engineer, Minor Irrigation Division, Chandrapur, Maharashtra, under FCA,1980.

The above stated agenda item was considered by FAC in its meeting on 15.11.2018. The corresponding agenda note may be seen at parivesh.nic.in.

Decision of FAC:

FAC after through deliberation and discussion with Nodal Officer (FCA) of the state, representatives of Regional Office through video conference and User Agency **recommended the proposal for in principle approval** with standard, General and following specific conditions:

- a) On perusal of documents submitted by the state government it is observed that there are three different area figures of forest areas demanded for diversion under FCA 1980. The exact area figure with kml file shall be submitted prior to Stage-II approval.
- b) User agency shall submit duly approved CAT plan with cost outlay.
- c) As recommended by state government, no trees shall be felled.
- d) The project Authority should provide water to forestry and allied Purposes
- e) The user agency shall carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down. The dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department. Retaining walls/terracing shall be carried out to hold the dumping material in place. Stabilization and reclamation of such dumping sites shall be completed before handing over the same to the State Forest Department in a time bound manner as per plan.
- f) The user agency shall consult organization (s) having experience in construction of roads in hilly areas to avoid frequent road blocks due to landslides etc. and shall provide breast walls and retaining wherever necessary.



Agenda No. 2

File no:- 8-32-2017-FC

Sub:- Diversion of 1007.29 ha of forest land for North Koel Dam Project in the State of Jharkhand- Review of Stage-I approval granted by MoEF&CC-regarding

The above stated agenda item was considered by FAC in its meeting on 15.11.2018. The detail agenda note may be seen at parivesh.nic.in.

Observations of FAC during its meeting on 15.11.2018

1. FAC in its meeting held on dated 26.10.2017 had recommended the proposal and thereafter Ministry, with the approval of competent authority, had already issued Stage-I approval with certain conditions.
2. After receipt of the in-principle approval, Chief secretary of Jharkhand had requested MoEF&CC that state government agrees to all conditions laid down by the government of India except the conditions at paragraphs (ix), (xi)(xii), (xiv) (d)(iii)(iv)(v)(viii)(xxi), (xxxiii) and (xxxviii) of Stage-I order.
3. On perusal of the request it was observed that most of the conditions requested to be waived off pertains to wildlife and NTCA. Accordingly, the State Government was requested to submit condition wise compliance report on the conditions stipulated in the Stage-I approval, or may approach NBWL for waiver/ modification of the conditions.
4. It has been decided by higher authority that the Stage-II approval should be issued by 25.11.2018.
5. State government of Jharkhand, as per the above request of MoEF&CC, placed the issue related to waiver of specific conditions before State Board of Wildlife (SBWL) and the recommendations were conveyed MoEF&CC for consideration by NBWL (National Board of Wild Life).
6. Considering the communication received, as at para-4 above, the instant proposal was included as one of the agenda items for the FAC meeting on 15.11.2018. During the meeting of the FAC, Member Secretary, NTCA (represented by DIGF, NTCA), Member Secretary, NBWL and IGF (WL) were invited to apprise FAC on the recent developments on the matter and participate in the deliberation on the issue.
8. During the meeting, comments of SBWL and NTCA were discussed. FAC was also informed that this issue was one of agenda items of NBWL meeting held on 14.11.2018. It was informed that NBWL had considered the recommendations of SBWL in its meeting on 14.11.2018 and has accepted the recommendations of SBWL.
9. It was also brought to the notice of the FAC by IGF (FC) that the State Government vide their letter no. Van Bhumi-04/2017-4608/V.P. dated 12.11.2018 has submitted compliance report in response to the conditions stipulated in the Stage-I approval dated 23.02.2018. Summary of the compliance is as under:

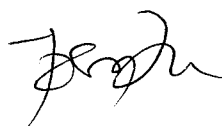


S No	Conditions stipulated in Stage-I approval	Compliance submitted by State Government	Observation of FC Division
i.	Legal status of the diverted forest land shall remain unchanged;	The State Government has stated that no action required. Water Resource Department agrees to it.	Undertaking has not been given. The State Government shall ensure this before issue of diversion order.
ii.	Compensatory afforestation shall be raised over double the diverted forest land and at least 1000 plants per hectare (1007.29 hectares x 1000 = 1007290 plants) shall be planted over identified double the degraded forest land (2015 ha) identified elsewhere under the control of Forest department with provision for ten years on subsequent maintenance. The site as identified for CA and forwarded by State Govt. vide their letter No. VAN BHOOMI-4/2017-5490-VP Ranchi dated 29.12.2017 to Ministry is not suitable as 380 ha of land having the canopy density of very dense forest and 1048 ha of land having moderately dense forest and most of the patches are covered by dense vegetation and some of the patches namely Kuro Kalan, Akhra, Kechki Lami pahar is partly falling on the agriculture land. Accordingly, the revised CA land with suitability certificate duly approved by competent authority and shape file may be given before Stage-II approval for further examination.	In this regard, the State Government stated that the matter has been re-examined and fresh proposal of C.A land has been provided to the user agency. The user agency has submitted KML file for the new sites provided to them. Thereafter Site-Specific Estimate has been prepared by the concerned DFO. Accordingly demand for 25,56,41,246 (Twenty five crores fifty six lakhs forty one thousands two hundred forty six) Rupees, was raised by Deputy Director, PTR North Division vide letter dated 21.08.2018. The user agency has deposited 25,56,41,246 (Twenty-five crores fifty six lakhs forty one thousands two hundred forty six) Rupees in Ad-hoc CAMPA Account through RTGS from their SBI Account. The UTR No is SBIN518274476839 dated 01.10.2018.	Receipt is being confirmed.
iii.	The total number of trees to be felled is approximately 3,44,644. Such loss of trees should be compensated, in	In this regard, the State Government stated that the demand for planting 3,44,644 trees outside core	Receipt is being confirmed.



	addition to mandatory compensatory afforestation, by planting same numbers of trees at suitable areas in the PTR landscape to compensate the loss in accordance with a scientific landscape-scale management plan. However, such plantation areas should be largely outside the tiger reserve, particularly outside the core area, as the tiger reserve needs grasslands along with woodland for augmenting the herbivore population.	area has been raised for jan van yojna. The user agency has deposited 6,68,61,654.00 (six crores sixty-eight lakhs sixty one thousand six hundred fifty four) rupees in Ad-hoc CAMPA Account through RTGS from their SBI Account. The UTR No is SBIN518274473652 dated 01.10.2018.	
iv.	25% of revised CA cost will be deposited extra through online by the user agency for soil and moisture conservation (SMC) activities on the CA land in the account of Ad-hoc CAMPA.	The State Government stated that the demand has been raised for Rs 6,39,10,312.00 (Six crore thirty nine lakhs ten thousands three hundred twelve) rupees for 25 % of CA cost. The user agency has deposited the said amount in Ad-hoc CAMPA Account through RTGS from their SBI Account. The UTR No is SBIN518274457947dated 1.10.2018.	Receipt is being confirmed.
v.	The Catchment Area treatment (CAT) of the river along the submergence area with cost structure shall be prepared and implemented at the cost of the user agency. The approved CAT plan with deposition of funds in the account of Ad-hoc CAMPA through on-line shall be done before Stage-II approval.	The State Government stated that the demand has been raised for Rs 122,7000000.00 (One hundred twenty two crores seventy Lakhs) rupees for catchment area treatment (CAT) Plan. The user agency has deposited the said amount in Ad-hoc CAMPA Account through RTGS from their SBI Account. The UTR No is SBIN518274466094 dated 01.10.2018.	Receipt is being confirmed.
vi.	Net Present Value (NPV) will be paid as applicable to the Protected Area which is 10 times the normal NPV in case	The State Government stated that the demand was raised for Rs 130,96,36000.00 (One hundred thirty crores ninety-	Receipt is being confirmed.

	of National Park and 5 times the normal NPV in case of Wildlife Sanctuary.	six lakhs thirty six thousands) rupees for NPV. The user agency has deposited the said amount in Ad-hoc CAMPA Account through RTGS from their SBI Account. The UTR is SBIN518274474875 dated 01.10.2018.	
vii.	Relocation and rehabilitation of villages from the forest land should be completed as per the approved Relocation and Rehabilitation plan (R&R) before closing the sluice gate for submergence. If water level reaches to the present crest height of the dam during exceptionally high rains, it will be brought down at 341.0 m level within 5 days by allowing the water to pass through the existing sluices and power intakes. However, if water discharge capacity of these sluices and power intake gates is not enough to maintain the ponding level at 341.0 m during very heavy rains, some arrangements should be made so that effective submergence area does not exceed 1007.29 ha. The bed level of the river is about 305 m and Dead Storage Level (DSL) at 330 m. Thus, the discharge of water should be strictly stopped when the water level reaches the DSL. Felling should not be done at upto 4 meter below FRL because this area will be submerged for temporary period only.	The State Government stated that the user agency has given an undertaking in this regard.	This needs to be ensured by the state Government.
viii.	During construction or installation of sluice gates, the project authorities should construct Jetty at important locations. Motor boat as well as	In this regard, the State Government stated that an undertaking to construct Jetty at important locations and to provide motor	This needs to be ensured by the state Government.

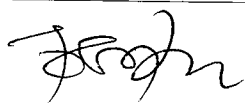


	paddle boat should also be made available to monitor and control illicit fishing and birds poaching.	boat/paddle boat has been made available by user agency.	
ix.	After ponding at 341.0 m, the linear water lake so created will partly fragment the PTR. This may compel elephants, tiger and other wildlife species to shift their movement/dispersal routes through other villages such as the 13 Lat group of villages. As a good elephant population would continue to survive in the PTR after completion of the project, the conflicts between local people and elephant may turn serious in future. Hence, for better ecological integrity of the tiger reserve and minimizing human-wildlife conflicts, it is recommended for the resettlement of these 13 group of revenue villages outside the PTR as per the procedure followed.	<p>The State Government stated that the Environmental clearance issued in 1984, incorporates this provision of relocation of Lat group of villages.</p> <p>In the meeting at Chief Secretary level on 05.04.2018, the above matter was discussed. It has been decided in that meeting that resettlement of 13 villages may not be feasible. These 13 villages are out of the submergence area. The shifting of approx. 4150 families of 13 villages may create large scale displacement of population which will enhance the project cost, may take several years and may cause unrest among affected people.</p> <p>The Secretary, Water Resource Department has requested to waive this condition, Accordingly, recommendation has been sent to NBWL vide letter of Forest Department, Govt. of Jharkhand no. 4198 dated 9.10.2018.</p>	As may be decided by FAC.
x.	As per records of user agency, the compensation has been paid to villagers of 15 villages against their land holdings as per the original Nadi-Ghati Pariyojana and new khatiyani has been created and shown as Nadi Ghati Pariyojana land. Such lands shall be transferred	The State Government stated that the user agency has submitted an undertaking mentioning that the compensation has been paid to villagers of 15 villages against their land holdings as per the original Nadi-Ghati Pariyojana and new khatiyani	There is no reference of this condition, in the list of conditions which were requested by State Government in their earlier letters for waiving/modification, neither any reference has

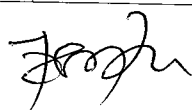


	to Palamau Tiger Reserve to provide landscape integrity and tiger range management. The non-forest land in these 15 villages should be transferred to the forest department and notified as forest land and integrated in the PTR landscape.	has been created and shown as Nadi-Ghati Pariyojana land. Though under the existing law it is not required, yet such non-forest lands of these 15 villages already acquired by WRD will be transferred to the forest department but in lieu of CA land requirement of other projects being taken up in the state of Jharkhand (eg. Kanhar Barrage Project). The Secretary, Water Resource Department has requested to waive this condition. Accordingly, recommendation has been sent to NBWL vide letter of Forest Department, Govt. of Jharkhand no 4198 dated 09.10.2018.	been made by NTCA (vide its letter dt. 24.10.2018) that it has considered this condition. Accordingly, this condition may be retained and be complied with by the state Government.
xi.	Betala area is loosely connected with the main area of the PTR through narrow width of forest. This corridor should be strengthened through transferring adjoining forest and government wastelands. As recommended by NBWL, families from a few villages such as Kerh and Garhi, fully or partly, should be settled outside the PTR as per the guidelines of NTCA.	The State Government stated that in the meeting at Chief Secretary level on 05.04.2018 the issue of settlement of Kerh and Garhi outside the PTR to strengthen the corridor has been discussed. It has been decided that as the condition mentioned hardly has any connection with this project and hence impractical. It will be very difficult to evacuate these villages due to strong resistance of the people who are not related to this project.	As may be decided by FAC.
xii.	After completion of the project, the adjoining government wasteland (GM land / Raiyati land) in the landscape should be transferred to PTR and its management should be integrated with the existing tiger habitat. The core area should be expanded suitably to	The State Government has stated that in the meeting at Chief Secretary level on 05.04.2018 it has been decided that this condition is not required under the existing law and hence should not be linked with	As may be decided by FAC.

	cover adjoining uninhabited buffer zone or other forest areas to strengthen conservation measures, as proposed by the State Wildlife Board.	this project and should not be made a condition. However, it may be taken up subject to availability of encumbrance free GM Land and may be considered separately in the future. The Secretary, Water Resource Department has requested to waive this condition, Accordingly, recommendation has been sent to NBWL vide letter of Forest Department, Govt. of Jharkhand no 4198 dated 09.10.2018.	
xiii.	The project proponents and the management of PTR should ensure that during pre-construction and construction phases of the dam, there should be least disturbance to the animals and their habitat. No material for construction purpose should be taken from the forest area. Only temporary structures should be created near the dam site by the project proponents. Permanent structures, warehouses, etc. should be created outside the PTR preferably at Bawardih. No construction activity should take place at the dam site during night after 6.00 PM. Other suggestions and recommendations in the Site Specific Wildlife Management Plan of North Koel Reservoir Project (Mandala Dam) and accepted by the State Board for Wild Life should be put into operation.	The State Government stated that the user agency has given undertaking to ensure the fulfilment of this condition.	This needs to be ensured by the state Government.
xiv.	The State Govt. and the user agency shall comply with the recommendations made by the National Tiger Conservation		



	<p>Authority (NTCA) as per provisions of Sections 38 0 (2), 38 (0)(1)(b) and 38 (0)(1)(g) of the Wildlife (Protection) Act, 1972 inclusive of recommendations of the NTCA Committee constituted in December, 2013, recommendation of the Committee constituted by the Standing Committee of the National Board for Wildlife (NBWL) vide its 42nd Meeting dated 21.07.2017. The conditions are as below:</p>		
	<p>a) During construction or installation of gates, the project authorities should construct Jetty at important locations. Motor boat as well as paddle boat should also be made available to monitor and control illicit fishing and birds poaching.</p>	<p>The State Government stated that as decided for the condition no. VIII.</p>	<p>This needs to be ensured by the state Government.</p>
	<p>b) The total number of trees to be felled is approx. 3,44,644 as per joint enumeration of trees. Such loss of trees should be compensated by planting same numbers of trees through Jan Van Yojana, Kisan nursery, etc., within Project Tiger jurisdiction.</p>	<p>The State Government stated that as decided for the condition no. III.</p>	<p>Compliance noted.</p>
	<p>c) The height of gates was initially proposed as 367.28 m FRL and accordingly compensation has been paid to villages of 13 villages against their land holdings. The new Khatiyani has been created and all land has been shown in Nadi Ghati</p>	<p>The State Government stated that as decided for the condition no. X.</p>	<p>There is no reference of this condition, in the list of conditions which were requested by State Government in their earlier letters for waiving/ modification, neither any reference has been made by NTCA (vide its letter dt.</p>



	Pariyojana land. The Government may consider transferring all such land to Palamau Tiger Reserve.		24.10.2018) that it has considered this condition. Accordingly, this condition may be retained and be complied with by the state Government.
	d) The State Govt. shall comply the following recommendation of NBWL for mitigation measures:		
	i. The project mentions that the maximum water level exceeding the crest height of the dam is very rare. If water level reaches to the present crest height of the dam during exceptionally high rains, it will be brought down at 341.0 m level within 5 days by allowing the water to pass through the existing sluices and power intakes. However, if water discharge capacity of these sluices and power intake gates is not enough to maintain the ponding level at 341.0 m during very heavy rains, some arrangements should be made so that effective submergence area does not exceed 1007.29 ha.	The State Government stated that the user agency has given an undertaking in this regard.	Compliance noted.
	ii. The bed level of the river is about 305 m and Dead Storage Level (DSL) at 330 m. Thus, the discharge of water should be strictly stopped when the water level reaches the DSL.	The State Government stated that an undertaking has been received from Water Resource Department that discharge of water will be stopped when the water level reaches the DSL.	Compliance noted.
	iii. By the time sluice gates are readied for the installation,	The State Government stated that as per proceeding of meeting at CS level the R&R	As may be decided by FAC.



	<p>submergence villages should be shifted out of the tiger reserve. As per the project proponents, all the affected families have been given relief and rehabilitation assistance at the time of construction of the dam. However, many of them still reside in the same villages inside the tiger reserve. Keeping the interests of local people, the observation of the Ministry of Tribal Affairs, and to avoid agitation of the people, a comprehensive plan should address grievances of all families in these villages. If necessary, funds from other sources may be made available to settle these people under an attractive settlement plan. If it is not done properly, some of the families may move into the upper catchment of the PTR after submergence of the villages. In such a situation, the loss of tiger habitat would be multiplied, causing enormous pressure on the PTR in future. The non-forest land in these 15 villages may be notified as forest land.</p>	<p>package has already been given to all 15 villages falling in submergence area corresponding to RL 367.28 m. Preparation of comprehensive plan keeping in mind the grievances of families still residing in submergence villages will involve both time and additional financial resources. As per recommendation of State Wildlife Board. The Water Resource Department will prepare a settlement plan for only 8 villages and accordingly they will seek money from Govt. of India. The above recommendation has been sent by Forest Department vide letter no 4198 dated 09.10.2018.</p>	
	<p>iv. After ponding at 341.0 m, the linear water lake will partly fragment the PTR. This may compel elephants, tiger and other wildlife species to shift their movement/dispersal routes through other</p>	<p>The State Government stated that as decided for the condition no. IX.</p>	<p>As may be decided by FAC.</p>




	<p>villages (such as the 13 Lat group of villages). As a good elephant population would continue to survive in the PTR after completion of the project, the conflicts between local people and elephant may turn serious in future. Hence, for better ecological integrity of the tiger reserve and minimizing human-wildlife conflicts, it is advisable to explore the resettlement of at least some of these 13 Lat group of revenue villages outside the tiger reserve after obtaining their willingness. Villages willing for resettlement should be provided special financial and social development packages that go beyond the standard NTCA package for tiger reserves. In addition, sufficient funds should be provided to Palamau Tiger Reserve for dealing with human-wildlife conflicts including handling problematic animals and providing ex-gratia payments to the affected families.</p>		
	<p>v. After completion of the project, the tiger may lose substantial resource rich habitat. To compensate loss of the habitat, adjoining government wasteland (GM land / Raiyati land) in the landscape should be</p>	<p>The State Government stated that as decided for the condition no. XII.</p>	<p>As may be decided by FAC.</p>



	transferred to PTR and its management should be integrated with the existing tiger habitat.		
	vi. The core area should be expanded suitably to cover adjoining uninhabited buffer zone or other forest areas to strengthen conservation measures, as proposed by the SBWL in its site-specific wildlife management plan for mitigation of impacts due to Mandal dam.	The State Government stated that the proposal for extension of core area has been submitted to the Department of Forests, Environment and climate Change, Government of Jharkhand.	Compliance noted.
	vii. Extent of Protected Areas in Jharkhand is only 2.7% of its geographical area against the national average of 4.9%, although Jharkhand is a forest rich state. There is logic and reasons for improving the size of the PTR by extending its boundary to cover suitable forests and the government wasteland.	A proposal for the Core area extension has been submitted to the Department of Forests, Environment and Climate Change.	Compliance noted.
	viii. Betla area is loosely connected with the main area of the PTR through narrow width of forest. This corridor should be strengthened through transferring adjoining forest and government wastelands. This issue should be examined and if possible, the families from a few villages such as Kerh and Garhi, fully or partly, should be settled outside the PTR under a very attractive settlement package. The population of wild animals in Betla	The State Government stated that as decided for the condition no. XI.	As may be decided by FAC.

	<p>Range is isolated from the rest of the forest area due to swelling of size of these two villages and occupying the erstwhile thin corridors for wildlife management.</p>		
	<p>ix. Hunting by local people is one of the main reasons for depletion of wildlife. The management of PTR should increase their control and surveillance over the tiger reserve. The remnant population of herbivores should be intensively protected to build up population again. At same time, the rapport between the staff of the PTR and villagers should be strengthened through establishing Biodiversity Management Committees (BMCs) and engaging them in the conservation activities through implementation of eco-development programmes. A comprehensive education campaign through effective groups or institution may be done in all villages in and around the PTR. The youth from these villages may be recruited as forest guards, foresters and RFOs to establish a strong management system to achieve standards prevailing in some of the outstanding Protected Areas in the country. Although the existing Naxalite activities are a</p>	<p>(i) The control and surveillance over the Tiger Reserve has been increased by constructing 92 watch towers and also by engaging more than 400 trackers, 135 Tiger Protection Forces, 25 Strike force and daily wages locals.</p> <p>(ii) The state Biodiversity board has engaged NGOs for making BMC.</p> <p>(iii) Education & awareness programme is being continued as ongoing process.</p> <p>(iv) All trackers (locals) have been designated as "Vanya Prani Mitra".</p> <p>(v) Palamau Tiger Conservation Foundation shall be strengthened by undertaking eco-development works as provided in the Site-Specific Wildlife Management Plan.</p>	<p>Compliance noted.</p>



	<p>hurdle to achieving the goal, it is possible over a period to change the management environment. If problems in wildlife protection arise due to local people, the solutions also lie in involving them. The BMCs or Vanyaprani Mitra, as practiced in Gir National Park, in the villages may establish a strong link between people and the management. The existing organization - Palamau Tiger Conservation Foundation- may be strengthened for more effective communication, education and eco-development activities in the villages within and around the PTR. Funds for eco-development as provided in the site-specific wildlife management plan may be transferred to Palamau Tiger Conservation Foundation for such activities.</p>		
	<p>x. A large number of trees will be submerged in the dam waters. Ten times the number of submerged trees should be raised at suitable areas in the PTR landscape to compensate the loss in accordance with a scientific landscape-scale management plan. However, such plantation areas should be largely outside the tiger reserve,</p>	<p>The State Government stated that demand has been raised of Rs. 66,86,16,540 (sixty-six crores eighty-six lakhs sixteen thousands five hundred forty) rupees for 10 times the number of submerged trees. The user agency has deposited the said amount in Ad-hoc CAMPA Account through RTGS from their SBI Account. The UTR No is SBIN518274466094 dated 01.10.2018.</p>	<p>Receipt is being confirmed.</p>



	particularly outside the core area, as the tiger reserve needs grasslands along with woodland for augmenting the herbivore population.	.	
	xi. The project proponents and the management of PTR should ensure that during preconstruction and construction phases of the dam, there should be least disturbance to the animals and their habitat. As suggested by the tiger reserve management itself, only temporary structures should be created near the dam site by the project proponents. Permanent structures, warehouses, etc. should be at Bawardih, outside the tiger reserve. During nights, no construction activity should take place at the dam site.	The State Government stated that as decided for the condition no. XIII.	This needs to be ensured by the state Government.
	In view of above, the Site-Specific Wildlife Management Plan of North Koel Reservoir Project (Mandala Dam) shall be revised on the above recommendations made by the State Board for Wild Life. The revised plan with deposition of commensurate funds in the account of Ad-hoc CAMPA.	The State Government stated that demand has been raised of Rs. 101.8000000.00 (one hundred one crore eighty lakhs) rupees only for Site Specific wildlife Management Plan in the light of observations given by NBWL. The user agency has deposited the said amount in Ad-hoc CAMPA Account through RTGS from their SBI Account. The UTR No is SBIN518274462089 dated 01.10.2018.	Receipt is being confirmed.
xv.	The land identified for the purpose of CA shall be clearly	The State Government stated that the user agency has submitted soft copy of KML	This needs to be ensured before issue of

	depicted on a Survey of India toposheet of 1:50,000 scale;	file and topo sheets. They are required to submit hard copy with signature.	diversion order by state government.
xvi.	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of Ad-hoc CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;	The State Government stated that as decided for the condition no. II.	Receipt is being confirmed.
xvii.	The User Agency shall transfer the funds for the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 through online portal of Ad-hoc CAMPA account of the State Concerned;	The State Government stated that as decided for the condition no. IV.	Receipt is being confirmed.
xviii.	At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined as per the final decision of the Hon'ble Supreme Court of India;	The undertaking has been received from Water Resource Department	Compliance noted.
xix.	The user agency should ensure that the compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate	The Irrigation Department has been properly advised.	Compliance noted.



	bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage- I clearance;		
xx.	Any fund received from the user agency under the project, except the funds realized for regeneration / demarcation of safety zone, shall be transferred to Ad-hoc CAMPA through Online-portal of Ad-hoc CAMPA account of the State Concerned;	Not applicable.	Compliance noted.
xxi.	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;	<p>The State Government stated that Environment Clearance has already been accorded vide letter no. 03/89/80-HCT/EM-5 dated 02.01.1984 & letter no.J-21011/37/2012-1AI dated 19.06.2017.</p> <p>As decided in the meeting at Chief Secretary level on 05.04.2018 the condition laid down in Para (iv), (v) and (viii) may be dropped for the reasons explained in condition no. (ix) above.</p> <p>The Secretary, Water Resource Department has requested to waive this condition, Accordingly, recommendation has been sent to National Wildlife Board vide letter of Forest Department, Govt. of Jharkhand no 4198 dated 09.10.2018.</p>	This is not within the purview of FC Division. Needs to be complied or may approach appropriate authority.
xxii.	The Forest Department shall prepare a Plan of Action to utilize the water potential available nearby for the benefit of forest crop and also to the wild animals at the cost of user agency;	The State Government stated that this plan shall be included in the Site-Specific Wildlife Management for the benefit to forest crop and also to the wild animals at the cost of user agency. The user agency has been	Compliance noted.

		requested to use the water potential in the submerged area in consultation with the Forest Department.	
xxiii.	A plan for conservation of Wildlife will be made by the user agency in consultation with the PCCF (Wildlife) to be implemented at the cost of user agency;	This plan is a part of Site-Specific Wildlife Management.	Compliance noted.
xxiv.	The tree felling in the forest area, so diverted, shall only be as per the actual requirement and with prior permission of the competent authority.	The State Government stated that the user agency, Water Resources Department, Medininagar (Government of Jharkhand) has given undertaking that felling of trees on the forest land being diverted shall only be as per the actual requirement and with prior permission of the competent authority.	Compliance noted.
xxv.	The User agency shall undertake afforestation along the periphery of the reservoir;	The State Government stated that the user agency, Water Resources Department, Medininagar (Government of Jharkhand) has given undertaking that afforestation along the periphery of the reservoir of North Koel Dam Project	Compliance noted.
xxvi.	There shall be no tree felling between FRL (Full Reservoir Level) and FRL – 4 meters and the forest land located between FRL and the FRL-4 meters may be afforested by planting appropriate indigenous tree species;	The State Government stated that the user agency, has given undertaking that the trees available between full reservoir level (FRL) and FRL-4 meters of North Koel Dam Project shall not be felled and the forest land located between (FRL) and FRL-4 meters may be afforested by planting appropriate indigenous tree species.	Compliance noted.
xxvii.	The User agency shall provide free water for the forestry related projects;	The State Government stated that the user agency, Water Resources Department, Medininagar (Government of	Compliance noted.



		Jharkhand) has given undertaking that the water from the North Koel Reservoir shall be provided free of cost to the forest Department (Government of Jharkhand) for the forestry related Projects.	
xxviii.	Layout plan of the proposal shall not be changed without the prior approval of the Central Government;	The State Government stated that the user agency, Water Resources Department, Medininagar (Government of Jharkhand) has given undertaking that the layout plan of the proposal shall not be changed without the prior approval of the Central Government for North Koel.	Compliance noted.
xxix.	No labour camp shall be established on the forest land;	The State Government stated that the user agency has submitted an undertaking that no labour camp shall be established.	Compliance noted.
xxx.	The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person;	The State Government stated that the user agency has given undertaking that the forest land shall not be used for any purpose other than that specified in the proposal under North Koel Dam Project and under no circumstances be transferred to any other agency, department or person.	Compliance noted.
xxxi.	The State Government shall ensure that the user agency shall provide alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;	The State Government stated that an Undertaking has been submitted by Irrigation Department to provide alternate fuel to labourers and staff working.	Compliance noted.
xxxii.	Boundary of the forest land proposed to be diverted shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed	The State Government stated that the user agency, has given undertaking that the Boundary of the forest land proposed to be diverted shall be	Compliance noted.

	with its serial number, forward and back bearing, distance from pillar to pillar and GPS co-ordinates;	demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing, distance from pillar to pillar and GPS co-ordinates.	
xxxiii.	The State Government shall maintain the character of the project as an irrigation project and to ensure continued benefit to the farmers in the command area, no more diversion of water from the project for industrial projects will be permitted in future;	The State Government stated that an undertaking has been received from Water Resource Department regarding compliance of this condition. They have submitted the undertaking on 23.10.2018 stating: "The user agency, Water Resources Department, Medininagar (Government of Jharkhand) hereby undertakes to maintain the character of the project as an irrigation project consistent with the priorities laid down under the existing state water usage policy so as to facilitate a more holistic approach to water usage keeping in mind the competing demands for drinking water/ irrigation/ industry etc . The Secretary, Water Resource Department has requested to waive this condition, Accordingly, recommendation has been sent to NBWL vide letter of Forest Department, Govt. of Jharkhand no 4198 dated 09.10.2018.	As may be decided by FAC.
xxxiv.	The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition	The State Government stated that the Certificate under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right)	Complete compliance not received.

	of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt.) dated 03.08.2009 read with 05.07.2013, in support thereof;	Act 2006 has been provided by DC Lateher and DC Garhwa. It has been made a part of proposal.	
xxxv.	Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;	The State Government stated that the user agency, Water Resources Department, Medininagar (Government of Jharkhand) has given undertaking to accept any other condition that the concerned Regional Office of the Ministry may stipulate from time to time, in the interest of conservation, protection and development of forests & wildlife under North Koel Dam Project in the territory of Jharkhand	Compliance noted.
xxxvi.	The User agency shall submit the annual self -compliance report in respect of the above conditions to the State Government, concerned Regional Office and this Ministry by the end of March of every year regularly; and	The State Government stated that the user agency, Water Resources Department, Medininagar (Government of Jharkhand) has given undertaking to submit the annual self compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to the Ministry by the end of the March every year for North Koel Dam Project.	Compliance noted.
xxxvii.	The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, NGT order (s) and relevant Hon'ble Court Order (s), if any, pertaining to this project for the time being in	The State Government stated that the user agency, Water Resources Department, Medininagar (Government of Jharkhand) has given undertaking to comply with the provisions of all Acts, Rules, Regulations,	Compliance noted.

	force, as applicable to the project.	Guidelines, NGT order (S) & relevant Hon'ble Court Order (S) if any, pertaining to this Project, for the time being in force, as applicable to the Project (North Koel Dam Project)	
xxviii.	After issue of Stage -I clearance, the State Govt. shall provide the following details immediately, as pending:		
	<p>a. As reported by Regional Office, the approach road to dam site passes through forest and is blacktopped for about 25 km followed by an earthen road of about 5 km stretch. The forest department will examine the record and submit the status whether Forest clearance under FC Act has been obtained or not.</p>	<p>The State Government stated that the actual distance of black topped road is 24.8 km and Kutchra or grade-I road is 1.8 km as reported by Deputy Director, Palamau Tiger Project, North Division, Medininagar vide his letter no. 462 dated 02.04.2018. The record available has been examined and it was found that the road was operational before 1980 and compensation of 11.675 crores has already been made available to the Forest Department.</p> <p>The Secretary, Water Resource Department has requested to waive this condition, Accordingly, recommendation has been sent to National Wildlife Board vide letter of Forest Department, Govt. of Jharkhand no 4198 dated 09.10.2018.</p>	As may be decided by FAC.
	<p>b. As reported by Regional Office, there exists many abandoned buildings, temporary structures, labor huts etc. spread over more than 20 hectares of land near the dam site. All structures are in dilapidated condition and</p>	<p>The State Government stated that this issue has been discussed in the meeting at Chief Secretary level on 05.04.2018 and it has been decided that the buildings and structures in this area, already in dilapidated condition, may be used temporarily during</p>	As may be decided by FAC.

<p>need to be demolished at the project cost to prevent encroachment/unauthorized occupancy of the forest land, if any. Even if the land has been diverted to the water resources department in the past, the same will be returned to the Forest department if it is no longer required for project activities. The Status of the land needs to be verified by the state authorities as the land is in continuity of forest area and has been apparently utilized by the project authorities during construction phase of the dam.</p>	<p>the construction period. However, after the construction, these will be returned back to the Forest Department. In the meantime the Secretary, Water Resource Department has requested to waive this condition. Accordingly, recommendation has been sent to National Wildlife Board vide letter of Forest department, Govt. of Jharkhand no. 4198 dated 09.10.2018.</p>	
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10. IG (FC) also stated that certain conditions {such as condition no.s xiv (d) vi and (d) vii above, etc}, and the compliances thereof, are quite subjective and requested clarification on whether those conditions need to be complied before issue of Stage -II approval. It was clarified during the meeting that the same are advisory in nature, however those need to be reiterated during issue of Stage-II approval.

Decision of FAC:

1. After thorough deliberation and discussion with ADG (WL), IGF (WL), DIG (NTCA), Nodal Officer (FCA, Jharkhand) and representative of user agency, **FAC recommended that out of eleven conditions (imposed in Stage-I approval) for reconsideration, as recommended by the SBWL and State Government, eight may be modified/revoked as per decisions of NBWL in its meeting on 14.11.2018, which were informed to FAC as mentioned at para-8 above. It further recommended that two conditions {no. xxxviii(a) and xxxviii(b)} be modified/dropped as below and the condition no. xxi (related to EC) be retained, since the same is not within the purview of FAC/FC Division.**
2. The modified/revoked conditions as recommended by FAC, which were stipulated in the Ministry's letter dt. 23.02.2018, granting *in-principle* approval for the instant proposal, are as follows:
 - ix.. The condition may be dropped.
 - xi.. The condition may be dropped.
 - xii.. The condition may be dropped.



xiv (d) (iii). The condition may be reworded as: *“The State Government may implement the time-bound settlement plan for settling the submergence villages before the start of the work”*.

xiv (d) (iv). The condition may be dropped.

xiv (d) (v). The condition may be dropped.

xiv (d) (viii). The condition may be dropped.

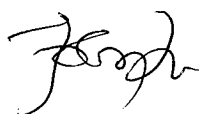
xxi. To be retained, since not within the purview of FAC.

xxxiii. The condition may be dropped.

xxxviii (a). The condition may be dropped.

xxxviii (b). The condition may be reworded as: *“The building and structures spread over more than 20ha of land near the dam site, are already in dilapidated condition. These may be used temporarily during the construction period. After the construction, these will be returned to the Forest department.”*

3. The other conditions imposed vide the Ministry’s letter dated 23.02.2018, shall remain unchanged.



Agenda No. 3

File no:- 8-68/2018-FC

Sub:- Diversion 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.

The above stated agenda item was considered by FAC in its meeting on 15.11.2018. The corresponding agenda note may be seen at parivesh.nic.in.

Observations of FAC:

During deliberation & discussions with APCCF, Regional Office (through video conference), Nodal Officer (FCA) of the state and User Agency, FAC observed that the land in question is a revenue forest land and same had been officially transferred to Paradip port trust, an organisation under GOI in 1965, for port work by Government of Odisha. Now the trust has proposed to expand/modernize the existing harbor/dock with intention to enhance the cargo handling capacity to boost economy of the Nation, State and the local area along with employment generation and improvement of environment. As per the report of State Government some of the proposed area is under non-forestry use prior to 1980. On analysis of reports and discussion it is observed that some of the area with relation to construction of Aahar Kendra after 1980, shall be treated as violation and penalty should be imposed accordingly on the user agency.

Decision of FAC

FAC recommended the proposal for in principle approval with standard, General and following specific conditions:

- 1) State Government shall initiate action for violation as per the provisions of Government of India Guidelines 11-42/2017-FC dated 29.01.2018
- 2) The project proponent shall undertake plantation of suitable species in the vacant spaces available within the applied area as well as in the Port limit area as per advice of the Divisional Forest Officer, Rajnagar (Mangrove) Division at project cost.
- 3) The user agency shall undertake posting of durable six feet high RCC pillars along the forest area included in diversion proposal and embedded with pillars two feet inside and 4 feet above the ground with serial number, forward and back bearings and distance from adjacent pillar posted clearly.
- 4) The user agency shall undertake that the contractors engaged in the project shall not damage any forest growth and wildlife found in the area.
- 5) The execution of the project shall also be subject to CRZ clearance and Environmental Clearance of the competent authority.
- 6) It should be ensured by the user agency that movement of Olive Ridley turtle does not get affected owing to this project including during its construction phase.



Agenda No. 4

File no: 8-01/2018-FC

Sub:- Diversion of 360.01 ha forest land [160.838 ha: Sabik Kisam forest land plus 199.1720 ha forest land(RF&KF)] located within total mining lease hold area over 403.3238 ha. of Katamati iron Ore Mines of M/s Tata Steel Ltd. under Section 2(ii) of Forest (Conservation) Act 1980. in Keonjhar district Odisha- Modification in Stage-I approval conditions.

The above stated agenda item was considered by FAC in its meeting on 15.11.2018. The corresponding agenda note may be seen at parivesh.nic.in.

1. FAC after through deliberation & discussion with Nodal Officer (FCA) of the state and APCCF, Regional Office and User Agency observed that the FAC in its meeting held on dated 19.06.2018, had recommended the diversion of 160.838 ha. (Sabik Kisam forest land) and 199.1720 ha forest land (Total Forest land 360.01 ha located within Total mining lease hold area over 403.3238 ha) under the provisions of section 2(ii) of Forest (Conservation) Act 1980 and stage I approval had been accorded subject to fulfilment of certain conditions. It is pertinent to note that Permission for 199.1720 ha of forest land under section 2 (iii) of FCA, 1980 has earlier been conveyed on 29.09.2016
2. The compliance of stage I approval granted to the state government is awaited. In the meantime user agency i.e. M/s Tata Steel Limited submitted a representation vide their letter dated 24.10.2018 requesting for modification of condition No. (ii) and condition no.(iv) of Stage –I approval. The conditions are as follows
3. The justification given by the user agency for modification/deletion of the conditions are as follows:

S.N.	Condition stipulated	Justification of the project proponent for changing in conditions.
(ii)	Compensatory Afforestation shall be raised over equal identified non-forest land (NFL) land within three years from the date of Stage –II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency. At least 1000 saplings per hectares shall be planted over 360.01 ha (360010 plants). If this is not possible to plant these many seedlings in the identified NFL, the balance seedlings will be	In this connection, the user agency referred to Point No. (3 & 7) of recommendation letter No. 10F (Cons)-136/2014/102/F&E dated 01.01.2015 of Government of Odisha which reads as follows: Point No. (3) 2 nd Para: <i>"It has also been reported that out of total forest land of 199.1720 ha., 31.1791 ha., (8.2834 ha RF & 22.8957 ha KF) has been broken-up prior to 25.10.1980. As such, the entire forest land of 199.1720 ha. in this mining lease applied for diversion during 3rd RML period includes 165.7928 ha. (48.3539 ha RF & 117.4389 ha KF) of virgin forest land and 31.1791 ha. of forest land broken prior to 1980. Further 199.1720 ha. of forest land proposed for diversion includes 196.9719 ha. forest</i>



<p>planted in degraded forest land as per the prescriptions of the Working Plan at the cost of the User agency. In such case CA cost will be revised and duly approved by competent authority and deposited online in the CAF managed by CAMPA.</p>	<p><i>land for mining and allied activities and 2.2001 ha. (0.9147 ha. RF + 1.2854 ha. KF) for safety zone.”</i></p> <p>Point No. (7):</p> <p><i>“199.1720 ha of forest land is proposed for diversion during 3rd RML period in this lease that includes 2.2 ha of forest land to be maintained as Safety zone and 31.1791 ha of forest land broken prior to 1980. Hence 165.7928 ha (199.1720 ha - 2,2001 ha -31.1791 ha) of virgin forest land is proposed to be used for mining activities. In lieu of 165.7928 ha of virgin forest land to be used for mining and other allied activities, 165.7928 ha of non-forest Government land has been identified by the district Administration of Keonjhar for the purpose of raising Compensatory Afforestation in one Village of Kaliapal of Barbil Tahsil in Keonjhar district.”</i></p> <p>The details of non-forest land identified in Village Kaliapal is indicated as 409.683 Acres or 165.7928 ha., scheme for which has already been prepared and approved.</p> <p>Since 31.1791 ha. forest land is broken-up prior to 1980 and safety zone area is 2.2001 ha. hence CA land over 165.7928 ha. only (199.1720 ha. - 31.1791 ha. (broken-up) – 2.2001 ha. (safety Zone)) has been identified against the proposal.</p> <p>CA land for the sabik forest has been identified over 160.8380 ha. identified in Dhenkanal District against the entire forest land of the proposal.</p> <p>Total non-forest Govt. land required for raising CA against the proposal over 199.1720 ha. (Hal proposal) and 160.8380 ha. (Sabik proposal) was over 326.6308 ha. and accordingly the non-forest Govt. lands have been identified in Keonjhar and Dhenkanal District as well.</p> <p>In view of the above, it is requested for modification of Condition No. (ii) of Stage-I approval F. No. 8-01/2018-FC dated 21.08.2018 changing the requirement of area of CA land from</p>
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		360.01 ha. to 326.6308 ha (165.7928 ha w.r.t. diversion proposal for 199.1720 ha and 160.8380 ha for diversion of Sabik Forest Land).
(iv)	From the documents it is learnt that the lease has been executed for entire forest area on 27.11.2016 having full knowledge that the mining lease has Sabik forest land for which Clearance under the provisions of Forest (Conservation) act 1980 was not obtained. State Government shall initiate action for violation as per the provisions of Government of India Guidelines 11-42/2017-FC dated 29.01.2018.	<p>In this connection, the user agency informed that the supplementary lease deed was executed by the State of Odisha in view of all the statutory clearances as per extant rules applicable at the point of time (Mine Plan, EC, FC etc.). In supporting of their claim, the user agency indicated the following facts for consideration: -</p> <ol style="list-style-type: none"> 1. Katamati is an operating lease since the original grant on 17.01.1933. 2. First Renewal was granted for a period of 20 years w.e.f 17.01.1963 to 16.01.1983 by Mining & Geology Deptt., Govt. of Orissa vide letter No. III(A)MG-87/73-11510 dated 21.11.1973. The lease deed was executed between Tata Steel & the State Govt. on 10.01.1978. 3. The Second Renewal was granted for a period of 20 years w.e.f 17.01.1983 to 16.01.2003 by the Mining & Geology Deptt., Govt. of Orissa vide letter No. III(A)MG-58/83-14879 MG dated 24.12.1983 and issued Execution Order vide letter No. III (A)-MG 27/84-9026 MG dt. 01.09.1984. 4. The Katamati lease over an area of 403.3238 ha. was executed between Tata Steel Ltd. and State Govt. on 17.10.1984 and registered vide lease deed No. 67 dated 27.11.1984. It is pertinent to mention here that as per the executed lease deed the entire lease hold area of 403.3238 ha consists of 199.172 ha of Forest land (57.525 ha of Reserve forest and 141.62 ha of Khesra forest) and 204.1518 ha of non-forest land. 5. Tata Steel Ltd. applied for Third Renewal of the lease for 20 years on 05.09.2001. Subsequently, Govt. of Odisha, Steel & Mines Deptt. vide letter no. III (A) SM-02/2004/3303/SM dated 18.04.2015



		<p>extended validity period of mining lease for Iron Ore over an area of 403.3238 ha. in village Deojhar & Thakurani R.F. (Katamati) of Keonjhar District under Section 8A of the MMDR Amendment Act'2015.</p> <p>6. Director of Mines communicated the order of State Govt. dated 18.04.2015 to all concerned DDM's regarding extension of lease period and act accordingly. They accordingly communicated to Collector, Keonjhar about the State Govt. order with copies of all Statutory clearances vide our letter no.GM/PL/212/194/15 dated.20.04.2015.</p> <p>7. Since they did not have forest clearance for Katamati iron mine either in full or in part Collector, Keonjhar raised objection for execution of SLD for want of forest clearance. They applied to Additional Chief Secretary Govt. of Odisha vide letter no. TSL/KIM/0577/2015 dated 21.09.2015 for recommending to MoEF&CC for according permission under Section 2 (iii) of FC Act,1980 over applied forest land of 199.1720 ha falling within Katamati lease. State Govt. (F&E) Deptt. Recommended their application to MoEF&CC for according permission under Section 2(iii) of the FC Act'1980 for applied forest land of 199.1720 ha in Katamati lease. Approval under Section 2(iii) was accorded by MoEF&CC, Govt. of India vide F. No. 8-5/2015-FC dated 29.09.2016 for assignment of lease over the entire area.</p> <p>8. Director of Mines, Govt. of Odisha advised Collector, Keonjhar vide letter No. MVI-(a)-48/01-9285/DM dt. 14.10.2016 for execution of Supplementary lease deed giving reference of the approval U/S 2(iii) of FC Act,1980 over applied forest of 199.172 ha.</p> <p>9. Collector, Keonjhar advised us vide letter No.1489/Mines dated.21.11.2016 to deposit an amount of Rs.433136996.00 (Rupees Forty-Three Crores Thirty One Lakhs Thirty</p>
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		<p>Six Thousand Nine Hundred Ninety Six) only towards Stamp Duty and Rs.173254799.00 (Rupees Seventeen Crores Thirty Two Lakhs Fifty Four Thousand Seven Hundred & Ninety Nine) only towards Registration Fee along with the Users Fee of Rs.200.00 (Rupees Two Hundred) only. After depositing the above amount, Supplementary Lease Deed was executed on 27.11.2016 and registered vide e-registration No.11031600471 dated 28.11.2016.</p> <p>10. Sabik Kisam of forest is a specific categorization in the State of Odisha. MoEF&CC, Govt. of India issued a guideline dated 10.03.2015 for the same.</p> <p>11. It was formally informed only in late 2016 about the same and immediately they submitted an application for diversion u/s 2(ii) for Sabik Forest Land over 160.838 ha as required. The said land was recorded as non-forest land in the previous Lease Deeds executed during the 2nd Renewal.</p> <p>In view of the facts mentioned above, the user agency stated that it is clear that there has not been any violation on their part. Being a very old operating lease and the lease deed had been signed twice earlier for the same area, they requested to kindly withdraw the condition.</p>
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Observations of FAC

1. The said lease hold area of user agency is under their control since 1930's. Tata Steel Ltd. applied for Third Renewal of the lease for 20 years on 05.09.2001. Subsequently, Govt. of Odisha, Steel & Mines Deptt. On dated 18.04.2015 extended validity period of mining lease for Iron Ore over an area of 403.3238 ha. in village Deojhar and Thakurani R.F. (Katamati) of Keonjhar District under Section 8A of the MMDR Amendment Act, 2015. Director of Mines communicated the order of State Govt. dated 18.04.2015 to all concerned DDM's regarding extension of lease period. They accordingly communicated the decision of the government to the Collector, Keonjhar. Since the user agency had no forest clearance for Katamati iron mine either in full or in part. Collector, Keonjhar raised objection for execution of SLD (supplementary lease deed) for want of forest clearance. State government accordingly requested the GOI for permission under Section 2 (iii) of FC Act,1980 over applied forest land of 199.1720 ha falling within Katamati lease.



2. Accordingly, the permission was granted to execute mining lease over forest area of 199.17 20 ha under section 2(iii) of FCA. From the records it appears that, when the grant of permission under section 2(iii) of FCA 1980 was in process the user agency came to know that there are certain portion of the land which is recorded as forest in sabik record.
3. State government representative and the user agency stated before FAC that had the fact related to status of land known at the time of submission of application for permission of assignment of forest land under section 2(iii) of FCA, they would have applied for the permission of whole forest area instead of 199.172 ha. The user agency had taken timely action of submitting the proposal for diversion of 160.838 ha of sabik forest which has been duly recommended by the State Govt. The approval for assignment of the 199.172 ha of forest land under Section 2 (iii) of FC Act, 1980 was recommended by the FAC even when the Stage I clearance under FC Act, 1980 for the said forest land was pending for approval. Thus at the time when the Section 2(iii) approval was recommended by FAC, the status of 199.172 ha of forest land already applied for diversion under FC Act, 1980 was the same as that of 160.838 ha of sabik kismat forest land initiated by the user agency for diversion under FC Act, 1980, but did not reach the MoEF, GoI. The validity of the lease for the area over 403.3238 ha was already extended by the State Govt as under Section 8A(5) of MMDR Act, 1957 and the execution of the lease deed was pending due to non-approval of assignment of the forest area under Section 2(iii) of FC Act, 1980. With the approval of the Section 2(iii) for 199.672 ha of forest area, it was intended to allow the execution of the lease deed for the whole area of 403.3238 ha of the mining lease, as lease deed cannot be executed for part area of the granted lease. The state government had only executed the lease whereas for diversion of the total forest land i.e. 360.01(160.838 ha sabik kismat Forest land plus 199.1720 ha Forest land (RF& KF)) ha has been considered by FAC. It had been accorded in principle approval under section 2(ii) of FCA 1980. In view of the above, the execution of the lease deed as above may not be considered as a violation for according Stage-I clearance over whole of forest area (199.672 ha+160.838 ha).

Decision of FAC

After through deliberation and discussion with APCCF (Regional Office), through video conference, Nodal Officer (FCA) of the state and User Agency, FAC recommended that

1. The action of user agency and state government shall not be considered as violation and the condition no (iv) shall be revoked.
2. User agency is working in the area since 1930's and 31.1791 ha forest area is reported to be broken prior to 1980. User agency has been using the broken forest land even after 1980. From the available record, it was found that the user agency had not given any land for compensatory afforestation during the renewal of lease. The condition referred at S.No (ii) specified in the *In-principle* approval is recommended to be modified to the extent the CA shall not be applicable for the area to be maintained as safety zone. For rest of forest area CA shall be applicable.



Agenda No. 1

File No. 8-23/2018-FC

Sub: Diversion of 150.84 Ha. of forest land in favour of Andhra Pradesh Capital Region Development Authority (APCRDA) for establishment of Adventure Eco Theme Park under Capital City Infrastructure Development Projects in Kondaveedu Forest Block, Guntur Division & District of Andhra Pradesh, in favour of (APCRDA). — regarding.

1. The Government of Andhra Pradesh, department of Environment, Forests, Science & Technology (Section. II) vide their letter No. 68/Section. 11/2018 dated 11.01.2018 submitted the above proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980.
2. As per APCRDA Act, the Capital Region has been notified with an area of 8603 Sq km out of which 407.96 Sq km only is Reserved Forest (RF), i.e. about 4.8% of the total area.
3. The AP Govt initially had requested for diversion of 19256.8 ha forest land which was revised to 13267 ha and was submitted to Ministry on 25.04.2015. This was further revised to 12444.89 ha of Forest area. This proposal was placed before the FAC in its meetings on 13.05.2016, 12.07.2016 and on 16.05.2017. FAC on 16.05.2017 constituted an Expert Committee headed by Shri Ajay Kumar, APCCF, RO, Dehradun. The Expert Committee visited the Site on 19th - 22nd June 2016 and submitted its report. The proposal was again placed before the FAC in its meeting on 17.08.2017 along with the Expert Committee report. Out of out of 12444.89 ha forest area applied for diversion FAC considered only 2087.09 ha as a special case, although this was non-site specific, in view of security reasons. The orders for in-principal approval was issued by the ministry on 20.09.2017.
4. Meanwhile the Hon'ble NGT, Principal Bench, Delhi issued order against any diversion of 251.77 ha of forest land in Tadepali RF area.
5. The AP Govt again submitted five proposals for diversion of 5229.69 ha of forest land for non-site specific projects and the same were not considered by this Ministry.
6. Now AP Govt. has again submitted eight proposals for diversion of 3307.27 ha forest land and instant proposal is one of them.
7. The RO, Chennai was asked to submit SIR on the proposal. RO submitted the report on 22.10.2018 and wherein, *inter alia*, it has been stated that the proposal is non-site specific.
8. The above proposal was placed before the FAC as Agenda item in its meeting held on 15.11.2018.

Decisions of FAC:

After discussions and thorough deliberation on the matter with the APCCF (R.O. Chennai), Nodal Officer (FCA) Govt. of Andhra Pradesh and officials of APCRDA, it observed that:

1. Area under RF is less than 5% of the entire area of Capital Region, which in the opinion of FAC is too less area as a green cover in any capital city.
2. The User Agency has not explored the possibilities of taking up the project on non-forest land which is more than 95% of the entire area of Capital Region.
3. The State Govt. should make efforts to increase the total area under green cover, in line with some of the best capital regions in the country and also should make efforts in increasing the density of the existing RFs in the capital region.

Considering all the above facts **FAC decided not to recommend for 'in-principle' approval** for this proposal.



Agenda No. 2

File No. 8-24/2018-FC

Sub: Proposal for diversion of 434.85 hectares of forest land for development of Integrated Institutional Complex under Capital City Infrastructure Development Projects in Kondaveedu Forest Block, Guntur Division & District of Andhra Pradesh, in favour of Andhra Pradesh Capital Region Development Authority (APCRDA).— regarding.


1. The Government of Andhra Pradesh vide their letter No. 64/Section-II/2018 dated 11.01.2018 submitted the above proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980.
2. As per APCRDA Act, the Capital Region has been notified with an area of 8603 Sq km out of which 407.96 Sq km only is Reserved Forest (RF), i.e. about 4.8% of the total area.
3. The AP Govt initially had requested for diversion of 19256.8 ha forest land which was revised to 13267 ha and was submitted to Ministry on 25.04.2015. This was further revised to 12444.89 ha of Forest area. This proposal was placed before the FAC in its meetings on 13.05.2016, 12.07.2016 and on 16.05.2017. FAC on 16.05.2017 constituted an Expert Committee headed by Shri Ajay Kumar, APCCF, RO, Dehradun. The Expert Committee visited the Site on 19th - 22nd June 2016 and submitted its report. The proposal was again placed before the FAC in its meeting on 17.08.2017 along with the Expert Committee report. Out of out of 12444.89 ha forest area applied for diversion FAC considered only 2087.09 ha as a special case, although this was non-site specific, in view of security reasons. The orders for in-principal approval was issued by the ministry on 20.09.2017.
4. Meanwhile the Hon'ble NGT, Principal Bench, Delhi issued order against any diversion of 251.77 ha of forest land in Tadepali RF area.
5. The AP Govt again submitted five proposals for diversion of 5229.69 ha of forest land for non-site specific projects and the same were not considered by this Ministry.
6. Now AP Govt. has again submitted eight proposals for diversion of 3307.27 ha forest land and instant proposal is one of them.
7. The RO, Chennai was asked to submit SIR on the proposal. RO submitted the report on 22.10.2018 and wherein, *inter alia*, it has been stated that the proposal is non-site specific.
8. The above proposal was placed before the FAC as Agenda item in its meeting held on 15.11.2018.

Decisions of FAC:

After discussions and thorough deliberation on the matter with the APCCF (R.O. Chennai), Nodal Officer (FCA) Govt. of Andhra Pradesh and officials of APCRDA, it observed that:

1. Area under RF is less than 5% of the entire area of Capital Region, which in the opinion of FAC is too less area as a green cover in any capital city.
2. The User Agency has not explored the possibilities of taking up the project on non-forest land which is more than 95% of the entire area of Capital Region.
3. The State Govt. should make efforts to increase the total area under green cover, in line with some of the best capital regions in the country and also should make efforts in increasing the density of the existing RFs in the capital region.

Considering all the above facts **FAC decided not to recommend for 'in-principle' approval** for this proposal.



Agenda No. 3

File No. 8-25/2018-FC

Sub: Proposal for diversion of 123.82 hectares of forest land for setting up of Science City under Capital City Infrastructure Development Projects in Mothadaka Forest Block, Guntur Division & District of Andhra Pradesh, in favour of Andhra Pradesh Capital Region Development Authority (APCRDA)— regarding.

1. The Government of Andhra Pradesh, vide their letter No. 63/Section.-II/2018 dated 11.01.2018 submitted the above proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980.
2. As per APCRDA Act, the Capital Region has been notified with an area of 8603 Sq km out of which 407.96 Sq km only is Reserved Forest (RF), i.e. about 4.8% of the total area.
3. The AP Govt initially had requested for diversion of 19256.8 ha forest land which was revised to 13267 ha and was submitted to Ministry on 25.04.2015. This was further revised to 12444.89 ha of Forest area. This proposal was placed before the FAC in its meetings on 13.05.2016, 12.07.2016 and on 16.05.2017. FAC on 16.05.2017 constituted an Expert Committee headed by Shri Ajay Kumar, APCCF, RO Dehradun. The Expert Committee visited the Site on 19th - 22nd June 2016 and submitted its report. The proposal was again placed before the FAC in its meeting on 17.08.2017 along with the Expert Committee report. Out of out of 12444.89 ha forest area applied for diversion FAC considered only 2087.09 ha as a special case, although this was non-site specific, in view of security reasons. The orders for in-principal approval was issued by the ministry on 20.09.2017.
4. Meanwhile the Hon'ble NGT, Principal Bench, Delhi issued order against any diversion of 251.77 ha of forest land in Tadepali RF area.
5. The AP Govt again submitted five proposals for diversion of 5229.69 ha of forest land for non-site specific projects and the same were not considered by this Ministry.
6. Now AP Govt. has again submitted eight proposals for diversion of 3307.27 ha forest land and instant proposal is one of them.
7. The RO, Chennai was asked to submit SIR on the proposal. RO submitted the report on 22.10.2018 and wherein, *inter alia*, it has been stated that the proposal is non-site specific.
8. The above proposal was placed before the FAC as Agenda item in its meeting held on 15.11.2018.

Decisions of FAC:

After discussions and thorough deliberation on the matter with the APCCF (R.O. Chennai), Nodal Officer (FCA) Govt. of Andhra Pradesh and officials of APCRDA, it observed that:

1. Area under RF is less than 5% of the entire area of Capital Region, which in the opinion of FAC is too less area as a green cover in any capital city.
2. The User Agency has not explored the possibilities of taking up the project on non-forest land which is more than 95% of the entire area of Capital Region.
3. The State Govt. should make efforts to increase the total area under green cover, in line with some of the best capital regions in the country and also should make efforts in increasing the density of the existing RFs in the capital region.

Considering all the above facts **FAC decided not to recommend for 'in-principle' approval** for this proposal.



Agenda No. 4

File No. 8-26/2018-FC

Sub: Proposal for diversion of 118.30 hectares of forest land for establishment of Eco-Tourism Village under Capital City Infrastructure Development Project in Pedamaddur Forest Block, Guntur Division & District of Andhra Pradesh, in favour of Andhra Pradesh Capital Region Development Authority (APCRDA)— regarding.

1. The Government of Andhra Pradesh, vide their letter No. 67/Section-II/2018 dated 11.01.2018 submitted the above proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980.
2. As per APCRDA Act, the Capital Region has been notified with an area of 8603 Sq km out of which 407.96 Sq km only is Reserved Forest (RF), i.e. about 4.8% of the total area.
3. The AP Govt initially had requested for diversion of 19256.8 ha forest land which was revised to 13267 ha and was submitted to Ministry on 25.04.2015. This was further revised to 12444.89 ha of Forest area. This proposal was placed before the FAC in its meetings on 13.05.2016, 12.07.2016 and on 16.05.2017. FAC on 16.05.2017 constituted an Expert Committee headed by Shri Ajay Kumar, APCCF, RO, Dehradun. The Expert Committee visited the Site on 19th - 22nd June 2016 and submitted its report. The proposal was again placed before the FAC in its meeting on 17.08.2017 along with the Expert Committee report. Out of out of 12444.89 ha forest area applied for diversion FAC considered only 2087.09 ha as a special case, although this was non-site specific, in view of security reasons. The orders for in-principal approval was issued by the ministry on 20.09.2017.
4. Meanwhile the Hon'ble NGT, Principal Bench, Delhi issued order against any diversion of 251.77 ha of forest land in Tadepali RF area.
5. The AP Govt again submitted five proposals for diversion of 5229.69 ha of forest land for non-site specific projects and the same were not considered by this Ministry.
6. Now AP Govt. has again submitted eight proposals for diversion of 3307.27 ha forest land and instant proposal is one of them.
7. The RO, Chennai was asked to submit SIR on the proposal. RO submitted the report on 22.10.2018 and wherein, *inter alia*, it has been stated that the proposal is non-site specific.
8. The above proposal was placed before the FAC as Agenda item in its meeting held on 15.11.2018.

Decisions of FAC:

After discussions and thorough deliberation on the matter with the APCCF (R.O. Chennai), Nodal Officer (FCA) Govt. of Andhra Pradesh and officials of APCRDA, it observed that:

1. Area under RF is less than 5% of the entire area of Capital Region, which in the opinion of FAC is too less area as a green cover in any capital city.
2. The User Agency has not explored the possibilities of taking up the project on non-forest land which is more than 95% of the entire area of Capital Region.
3. The State Govt. should make efforts to increase the total area under green cover, in line with some of the best capital regions in the country and also should make efforts in increasing the density of the existing RFs in the capital region.

Considering all the above facts **FAC decided not to recommend for 'in-principle' approval** for this proposal.



Agenda No. 5

File No. 8-27/2018-FC

Sub: Proposal for diversion of 250.08 ha. of forest land for establishment Forest Academy, IIF&CC, APFD, APFDC, APPCB and NGC under Capital City Infrastructure Development Projects in Kondaveedu Block, Guntur Division and District Andhra Pradesh in favour of Andhra Pradesh Capital Region Development Authority (APCRDA) — regarding.

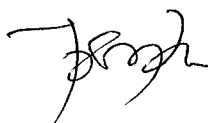
1. The Government of Andhra Pradesh, Department of Environment, Forest and Science & Technology submitted a proposal vide their letter No. 62/Section-II/2018 dated 11.01.2018 submitted the above proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980.
2. As per APCRDA Act, the Capital Region has been notified with an area of 8603 Sq km out of which 407.96 Sq km only is Reserved Forest (RF), i.e. about 4.8% of the total area.
3. The AP Govt initially had requested for diversion of 19256.8 ha forest land which was revised to 13267 ha and was submitted to Ministry on 25.04.2015. This was further revised to 12444.89 ha of Forest area. This proposal was placed before the FAC in its meetings on 13.05.2016, 12.07.2016 and on 16.05.2017. FAC on 16.05.2017 constituted an Expert Committee headed by Shri Ajay Kumar, APCCF, RO Dehradun. The Expert Committee visited the Site on 19th - 22nd June 2016 and submitted its report. The proposal was again placed before the FAC in its meeting on 17.08.2017 along with the Expert Committee report. Out of out of 12444.89 ha forest area applied for diversion FAC considered only 2087.09 ha as a special case, although this was non-site specific, in view of security reasons. The orders for in-principal approval was issued by the ministry on 20.09.2017.
4. Meanwhile the Hon'ble NGT, Principal Bench, Delhi issued order against any diversion of 251.77 ha of forest land in Tadepali RF area.
5. The AP Govt again submitted five proposals for diversion of 5229.69 ha of forest land for non-site specific projects and the same were not considered by this Ministry.
6. Now AP Govt. has again submitted eight proposals for diversion of 3307.27 ha forest land and instant proposal is one of them.
7. The RO, Chennai was asked to submit SIR on the proposal. RO submitted the report on 22.10.2018 and wherein, *inter alia*, it has been stated that the proposal is non-site specific.
8. The above proposal was placed before the FAC as Agenda item in its meeting held on 15.11.2018.

Decisions of FAC:

After discussions and thorough deliberation on the matter with the APCCF (R.O. Chennai), Nodal Officer (FCA) Govt. of Andhra Pradesh and officials of APCRDA, it observed that:

1. Area under RF is less than 5% of the entire area of Capital Region, which in the opinion of FAC is too less area as a green cover in any capital city.
2. The User Agency has not explored the possibilities of taking up the project on non-forest land which is more than 95% of the entire area of Capital Region.
3. The State Govt. should make efforts to increase the total area under green cover, in line with some of the best capital regions in the country and also should make efforts in increasing the density of the existing RFs in the capital region.

Considering all the above facts **FAC decided not to recommend for 'in-principle' approval** for this proposal.



Agenda No. 6

File No. 8-28/2018-FC

Sub: Proposal for diversion of 231.33 hectare of forest land for establishment of Bio-diversity Park under Capital City Infrastructure Development Projects in Nidumukkala Forest Block, Guntur Division & District of Andhra Pradesh, in favour of Andhra Pradesh Capital Region Development Authority (APCRDA) — regarding.

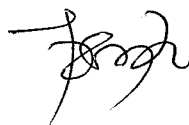
1. The Government of Andhra Pradesh, Department of Environment, Forests and Science & Technology (Section. II) vide their letter No. 61/Section-II/2018 dated 11.01.2018 submitted the above proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980.
2. As per APCRDA Act, the Capital Region has been notified with an area of 8603 Sq km out of which 407.96 Sq km only is Reserved Forest (RF), i.e. about 4.8% of the total area.
3. The AP Govt initially had requested for diversion of 19256.8 ha forest land which was revised to 13267 ha and was submitted to Ministry on 25.04.2015. This was further revised to 12444.89 ha of Forest area. This proposal was placed before the FAC in its meetings on 13.05.2016, 12.07.2016 and on 16.05.2017. FAC on 16.05.2017 constituted an Expert Committee headed by Shri Ajay Kumar, APCCF, RO Dehradun. The Expert Committee visited the Site on 19th - 22nd June 2016 and submitted its report. The proposal was again placed before the FAC in its meeting on 17.08.2017 along with the Expert Committee report. Out of out of 12444.89 ha forest area applied for diversion FAC considered only 2087.09 ha as a special case, although this was non-site specific, in view of security reasons. The orders for in-principal approval was issued by the ministry on 20.09.2017.
4. Meanwhile the Hon'ble NGT, Principal Bench, Delhi issued order against any diversion of 251.77 ha of forest land in Tadepali RF area.
5. The AP Govt again submitted five proposals for diversion of 5229.69 ha of forest land for non-site specific projects and the same were not considered by this Ministry.
6. Now AP Govt. has again submitted eight proposals for diversion of 3307.27 ha forest land and instant proposal is one of them.
7. The RO, Chennai was asked to submit SIR on the proposal. RO submitted the report on 22.10.2018 and wherein, *inter alia*, it has been stated that the proposal is non-site specific.
8. The above proposal was placed before the FAC as Agenda item in its meeting held on 15.11.2018.

Decisions of FAC:

After discussions and thorough deliberation on the matter with the APCCF (R.O. Chennai), Nodal Officer (FCA) Govt. of Andhra Pradesh and officials of APCRDA, it observed that:

1. Area under RF is less than 5% of the entire area of Capital Region, which in the opinion of FAC is too less area as a green cover in any capital city.
2. The User Agency has not explored the possibilities of taking up the project on non-forest land which is more than 95% of the entire area of Capital Region.
3. The State Govt. should make efforts to increase the total area under green cover, in line with some of the best capital regions in the country and also should make efforts in increasing the density of the existing RFs in the capital region.

Considering all the above facts **FAC decided not to recommend for 'in-principle' approval** for this proposal.



Agenda No. 7

File No. 8-29/2018-FC

Sub: Proposal for diversion of 1625.53 ha. of forest land for establishment of Aerospace, Precision Engineering Innovation and Research and Green Mobility Park in Venkatayapalem Exten-1 & Exten-8 RFs in Guntur Division and District of Andhra Pradesh, in favour of Andhra Pradesh Capital Region Development Authority (APCRDA). — regarding.

1. The Government of Andhra Pradesh, Department of Environment, Forests, Science & Technology (Section. II) vide their letter No. 62/Section-II/2018 dated 11.01.2018 submitted the above proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980.
2. As per APCRDA Act, the Capital Region has been notified with an area of 8603 Sq km out of which 407.96 Sq km only is Reserved Forest (RF), i.e. about 4.8% of the total area.
3. The AP Govt initially had requested for diversion of 19256.8 ha forest land which was revised to 13267 ha and was submitted to Ministry on 25.04.2015. This was further revised to 12444.89 ha of Forest area. This proposal was placed before the FAC in its meetings on 13.05.2016, 12.07.2016 and on 16.05.2017. FAC on 16.05.2017 constituted an Expert Committee headed by Shri Ajay Kumar, APCCF, RO Dehradun. The Expert Committee visited the Site on 19th -22nd June 2016 and submitted its report. The proposal was again placed before the FAC in its meeting on 17.08.2017 along with the Expert Committee report. Out of out of 12444.89 ha forest area applied for diversion FAC considered only 2087.09 ha as a special case, although this was non-site specific, in view of security reasons. The orders for in-principal approval was issued by the ministry on 20.09.2017.
4. Meanwhile the Hon'ble NGT, Principal Bench, Delhi issued order against any diversion of 251.77 ha of forest land in Tadepali RF area.
5. The AP Govt again submitted five proposals for diversion of 5229.69 ha of forest land for non-site specific projects and the same were not considered by this Ministry.
6. Now AP Govt. has again submitted eight proposals for diversion of 3307.27 ha forest land and instant proposal is one of them.
7. The RO, Chennai was asked to submit SIR on the proposal. RO submitted the report on 22.10.2018 and wherein, *inter alia*, it has been stated that the proposal is non-site specific.
8. The above proposal was placed before the FAC as Agenda item in its meeting held on 15.11.2018.

Decisions of FAC:

After discussions and thorough deliberation on the matter with the APCCF (R.O. Chennai), Nodal Officer (FCA) Govt. of Andhra Pradesh and officials of APCRDA, it observed that:

1. Area under RF is less than 5% of the entire area of Capital Region, which in the opinion of FAC is too less area as a green cover in any capital city.
2. The User Agency has not explored the possibilities of taking up the project on non-forest land which is more than 95% of the entire area of Capital Region.
3. The State Govt. should make efforts to increase the total area under green cover, in line with some of the best capital regions in the country and also should make efforts in increasing the density of the existing RFs in the capital region.

Considering all the above facts **FAC decided not to recommend for 'in-principle' approval** for this proposal.



Agenda No. 8

File No. 8-30/2018-FC

Sub: Proposal for diversion of 371.80 ha. of forest land for development of E-5 Park under Capital City Infrastructure Development Projects in Karlapudi Forest Block, Guntur Division & District of Andhra Pradesh in favour of Andhra Pradesh Capital Region Development Authority (APCRDA).- regarding.


1. The Government of Andhra Pradesh, department of Environment, Forests and Science & Technology (Section. II) vide their letter No. 62/Section-II/2018 dated 11.01.2018 submitted the above proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980.
2. As per APCRDA Act, the Capital Region has been notified with an area of 8603 Sq km out of which 407.96 Sq km only is Reserved Forest (RF), i.e. about 4.8% of the total area.
3. The AP Govt. initially had requested for diversion of 19256.8 ha forest land which was revised to 13267 ha and was submitted to Ministry on 25.04.2015. This was further revised to 12444.89 ha of Forest area. This proposal was placed before the FAC in its meetings on 13.05.2016, 12.07.2016 and on 16.05.2017. FAC on 16.05.2017 constituted an Expert Committee headed by Shri Ajay Kumar, APCCF, RO, Dehradun. The Expert Committee visited the Site on 19th -22nd June 2016 and submitted its report. The proposal was again placed before the FAC in its meeting on 17.08.2017 along with the Expert Committee report. Out of out of 12444.89 ha forest area applied for diversion FAC considered only 2087.09 ha as a special case, although this was non-site specific, in view of security reasons. The orders for in-principal approval was issued by the ministry on 20.09.2017.
4. Meanwhile the Hon'ble NGT, Principal Bench, Delhi issued order against any diversion of 251.77 ha of forest land in Tadepali RF area.
5. The AP Govt again submitted five proposals for diversion of 5229.69 ha of forest land for non-site specific projects and the same were not considered by this Ministry.
6. Now AP Govt. has again submitted eight proposals for diversion of 3307.27 ha forest land and instant proposal is one of them.
7. The RO, Chennai was asked to submit SIR on the proposal. RO submitted the report on 22.10.2018 and wherein, *inter alia*, it has been stated that the proposal is non-site specific.
8. The above proposal was placed before the FAC as Agenda item in its meeting held on 15.11.2018.

Decisions of FAC:

After discussions and thorough deliberation on the matter with the APCCF (R.O. Chennai), Nodal Officer (FCA) Govt. of Andhra Pradesh and officials of APCRDA, it observed that:

1. Area under RF is less than 5% of the entire area of Capital Region, which in the opinion of FAC is too less area as a green cover in any capital city.
2. The User Agency has not explored the possibilities of taking up the project on non-forest land which is more than 95% of the entire area of Capital Region.
3. The State Govt. should make efforts to increase the total area under green cover, in line with some of the best capital regions in the country and also should make efforts in increasing the density of the existing RFs in the capital region.

Considering all the above facts **FAC decided not to recommend for 'in-principle' approval** for this proposal.



Agenda No. 9

File No. 8-14/2018-FC (Vol.)


Sub: Proposal for diversion of 15.981 ha. of forest land in RM Block & other villages for Approach Road, Downhill Pipe Conveyer and Feed & Transfer Point area for Rama Iron Ore Mine (ML No. 2621) in favour of M/s JSW Steel Ltd., Vijayanagar works Bellary, in Bellary District of Karnataka — regarding.

1. The State Government of Karnataka vide their letter No. FEE 33 FFM 2018 dated 01.09.2018 submitted the above mentioned proposal to obtain prior approval of the Central Government, in accordance with Section-2 of the Forest (Conservation) Act, 1980.
2. The above proposal was placed before the FAC as Agenda item in its meeting held on 15.11.2018.
3. During the deliberations in the meeting, it was informed that, the Hon'ble Supreme Court in Judgement dated 21.03.2017 passed orders in IA No. 247 & other IAs in Writ Petition Civil No. 562/2009 have approved construction of Conveyer Belt System, Railway Siding and Railway Sub-lines as the most significant step towards controlling the Environment Pollution that has persisted on account of open movement of iron ores by road.
4. The Precambrian Iron Ore Mine ML No. 2621 on 33.80 ha forest land has been auctioned and allocated to M/s JSW Steel Ltd., Vijayanagar Works, Bellary after C – Category Mine E-auction on 02.10.2016.

Decisions of FAC:

FAC after thorough deliberation and discussion with the Nodal Officer (FCA) Govt. of Karnataka and User agency **recommended to accord 'in-principle' approval** for 15.981 ha. forest land with General, Standard and following Specific Conditions:

1. The User Agency shall submit compliance for FRA before Stage-II approval.
2. The user agency shall conduct a study, at its own cost, involving a Reputed Institute on impact of downhill pipe conveyer on wildlife in the landscape and ambient environment. The State Forest Department will decide the ToR for the study. The study may be conducted for a period of five years or as decided by the State Forest Department.



Agenda No. 10

File No. 8-12/2018-FC (Vol.)

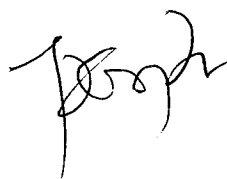
Sub: Proposal for Diversion of 0.604 ha. of forest area proposed for Downhill Pipe Conveyor (DHPC) for Bhadra Iron Ore Mine ML No. 2365 and Tunga Iron Ore Mine ML No. 2366 in favour of M/s JSW Steel Ltd., in Bellary District of Karnataka — regarding.

1. The State Government of Karnataka vide their letter No. FEE 28 FFM 2018 dated 20.08.2018 submitted the above mentioned proposal to obtain prior approval of the Central Government, in accordance with Section-2 of the Forest (Conservation) Act, 1980.
2. The above proposal was placed before the FAC as Agenda item in its meeting held on 15.11.2018.
3. During the deliberations in the meeting, it was informed that, the Hon'ble Supreme Court in Judgement dated 21.03.2017 passed orders in IA No. 247 & other IAs in Writ Petition Civil No. 562/2009 have approved construction of Conveyor Belt System, Railway Siding and Railway Sub-lines as the most significant step towards controlling the Environment Pollution that has persisted on account of open movement of iron ores by road.
4. Bhadra Iron Ore Mine ML No. 2365 and Tunga Iron Ore Mine ML No. 2366 have been auctioned and allocated to M/s. JSW Steel Ltd., Vijayanagar Works, Bellary after the C-Category Mine E-auction held on 04.10.2016. Both the Mining leases are spread over 130.53 ha. and 33.21 ha. in the Donimalai Block R

Decisions of FAC:

FAC after thorough deliberation and discussion with the Nodal Officer (FCA) Govt. of Karnataka and User agency **recommended to accord 'in-principle' approval** for 0.604 ha. forest land with General, Standard and following Specific Conditions:

1. The User Agency shall submit compliance for FRA before Stage-II approval.
2. The user agency shall conduct a study, at its own cost, involving a Reputed Institute on impact of downhill pipe conveyer on wildlife in the landscape and ambient environment. The State Forest Department will decide the ToR for the study. The study may be conducted for a period of five years or as decided by the State Forest Department.



Agenda No. 11

File No. 8-07/2018-FC (Vol.)

Sub: Proposal for Diversion of 5.271 ha. of forest land for Existing/Proposed Approach Road, Downhill Pipe Conveyor, Service Roads, Transmission Line Cable and Water Pipeline in S.M. Block, Sandur South Range, Lakshmipura Village, Sandur Taluk in favour of M/s JSW Steel Ltd., in Bellary District, Karnataka. — regarding.

1. The State Government of Karnataka vide their letter No. FEE 29 FFM 2018 dated 20.08.2018 submitted the above mentioned proposal to obtain prior approval of the Central Government, in accordance with Section-2 of the Forest (Conservation) Act, 1980.
2. The above proposal was placed before the FAC as Agenda item in its meeting held on 15.11.2018.
3. During the deliberations in the meeting, it was informed that, the Hon'ble Supreme Court in Judgement dated 21.03.2017 passed orders in IA No. 247 & other IAs in Writ Petition Civil No. 562/2009 have approved construction of Conveyor Belt System, Railway Siding and Railway Sub-lines as the most significant step towards controlling the Environment Pollution that has persisted on account of open movement of iron ores by road.
4. S.J. Harvi Iron Ore Mine ML No. 2290 has been auctioned and allocated to M/s. JSW Steel Ltd., Vijayanagar Works, Bellary after the C-Category Mine E-auction on 07.10.2016. The Mining lease is spread over 100.54 ha in the Devadarigudda Range, Kumarswamy Block Forest, Sandur Taluk, in Bellary District, Karnataka.

Decisions of FAC:

FAC after thorough deliberation and discussion with the Nodal Officer (FCA) Govt. of Karnataka and User agency **recommended to accord 'in-principle' approval** for 5.271 ha. forest land with General, Standard and following Specific Conditions:

1. The User Agency shall submit compliance for FRA before Stage-II approval.
2. The user agency shall conduct a study, at its own cost, involving a Reputed Institute on impact of downhill pipe conveyer on wildlife in the landscape and ambient environment. The State Forest Department will decide the ToR for the study. The study may be conducted for a period of five years or as decided by the State Forest Department.

confirmed then send
(S. D. Vora)
Member

[Signature]
(A. K. Mohanty)
Inspector General of Forests (FC)

confirmed then send
(Dr Sanjay Deshmukh)
Member

confirmed then send
(Sh D.K Mohanty)
Member

confirmed then send
(Saibal Dasgupta)
Addl. Director General of Forests (FC)
(Member)

not present
Additional Commissioner (Soil Conservation)
Ministry of Agriculture

[Signature]
(Siddhanta Das)
Director General of Forests & Special Secretary