

Government of India
Ministry of Environment, Forests & Climate Change
(Forest Conservation Division)

MINUTES OF THE FOREST ADVISORY COMMITTEE (FAC) MEETING HELD
ON 03RD MAY, 2016

Sandeep Sharma, AIGF (FC)

Agenda No. 1

F. No. 8-126/2011-FC

Sub: Diversion of 86.44 ha for construction of multipurpose port in Alibag Taluka, Raigad district, Maharashtra by Rewas Port Ltd. – regarding.

The above mentioned proposal was considered by the FAC in its meeting held on 3.5.2016 and the FAC, after examination of the proposal and discussion with user agency, observed as below:

1. This relates to diversion of 86.44 ha for construction of multipurpose port in Alibag Taluka, Raigad district, Maharashtra by Rewas Port Ltd.
 2. The proposal was considered by the FAC in its meeting held on 11th-12th 01, 2012, 27.01.2012, 19.08.2012, 21.01.2013, 22.12.2014, 30.09.2015.
 3. It is observed that the area proposed for diversion for the project is 86.44 ha of forest land while 1065.285 ha non-forest land is involved in this project.
 4. The proposal was considered by the FAC in its meeting held on 22nd December, 2014 and the FAC desired the following information from the Government of Maharashtra:
 - (a) *Whether the Multipurpose SEZ project is still in progress or is abandoned.*
 - (b) *Whether the current project of Multipurpose Port by the Rewas Port Ltd. is independent of the Multipurpose SEZ project.*
 - (c) *Existence of the Mangrove in the proposed project area and applicability of Mumbai High Court order dated 27th January, 2010 on this.*
 - (d) *Whether the project with new alignment has the EC and MCZMA clearance.*
- Therefore after deliberation the committee recommended that:



- (a) User agency/state Government should clarify the issues mentioned at para above in writing as well as by making presentation before the FAC.
- (b) The State Government shall also submitted the information sought by the MoEF&CC vide its letter dated 12.02.2013.
- (c) Regional Office Bhopal/Nagpur should carry out inspection of the project and submit site inspection report at the earliest.
- (d) On receipt of above information from the State Government and the Regional Office the Nodal Officer of the State Government and the user agency will be requested to make detailed presentation before the FAC.”
5. In response to FAC meeting held on 22.12.2014, the State Government was requested to send the proposal vide letter of even number dated 23.02.2015. The Regional Office, Nagpur and Bhopal have also been requested to do the inspection vide letter of even number dated 23.02.2015.
6. Regional Office, Nagpur vide its letter no. 6-MPA-1/2012/226 dated 13.08.2015 submitted the site inspection report as desired by the FAC. Finding of the Regional Office, as contained in their inspection report is given as under:

SITE INSPECTION REPORT OF THE REGIONAL OFFICE, NAGPUR.

The site was inspected by sh. Kanwarjit Singh, Addl. PCCF (Central), Regional Office, Nagpur on 20th July 2015. Findings of the inspection report are given as under:

- i. The area was inspected alongwith the representatives of the user agency, local forest officers, including the Deputy Conservator of Forests, Alibagh Forest Division.
- ii. It was a period of high tide. Most of the land proposed is inter-tidal land and as such most of the land proposed for diversion, at this time, was submerged under water.
- iii. Proposed site, for the port, is running in North-South direction. It starts from the mouth of Dharmatar creek, which is about 2km wide. In the North the entire forest land proposed for diversion was submerged under water and there were no traces of any vegetation. Towards the Southern portion there is some growth of Mangrove and the trees are mostly submerged and only their top portions were visible. This piece of land is to be used as *berths backup yard, storage, rail line, road, parking area and required*



infrastructure. The proposed port will face the sea front. It is proposed on a sandy expanse with open sea in North West side.

- iv. Thus the forest land proposed for diversion is in two isolated patches in two villages- Ranjankhar and Milkatkhar.
- v. In Ranjankhar village the forest land proposed for diversion was totally submerged and not approachable at the time of the site inspection. There is no tree growth on this land. This is an eroded and an isolated pocket of forest land.
- vi. However portion of the forest land proposed for diversion in Milkathar village along the road was not submerged. *The major part of the forest land proposed for diversion is eroded. This land I was told was taken as CA land in one of the projects during 90s. Most of the time it remains submerged under water. Bushy growth of Babul is seen in the area. Other trees are all on the periphery and along the road.*
- vii. Mangrove stands are present along the creeks in the region and also along the Amba River where it meets the Creek. The proposed port alignment is away from this area and may not have any adverse impact on this patch as it is fed from the Dharmatar Creek/Amba River and not directly from the sea front.
- viii. No wild life was seen in the area.

Under the circumstance mentioned above, the Regional Office, Nagpur has recommended the proposal subject to following conditions:

- i. The user Agency should facilitate (With Finances & Logistic Support) the collection of data periodically by the Mangrove cell of the Forest Department during the construction phase of the project. And if at any time it is felt that dredging and other construction activities are having any adverse effect on the adjoining Mangrove area and intervention is needed to increase the inundation of the existing adjoining patches of Mangrove, then a site specific and need based intervention plan should be implemented at the cost of the user agency.
- ii. However to save time, the User agency shall in advance prepare a general plan for improving the tidal inundation and enriching the mangrove vegetation in the area in consultation with the Mangrove Cell This plan should be implemented by the user agency at its cost under supervision of the Forest Department if needed on the basis of



monitoring. (At this moment it will be premature to believe that the construction of port will lead to less inundation. Inundation may increase also because of dredging or movement of large ships which are bound to create artificial waves.

- 7) The proposal was again discussed in FAC meeting on 30.9.2015 After detailed discussions on the proposal and interaction with the project proponent, the FAC was of the view that it requires to know the views of the State Government on the clarification submitted by the user agency directly to the Ministry in response to Ministry's letter dated 23/02/2015 and also on the implementation of Hon'ble High Court's order dated 27th January 2010. However in the absence of the response of the State Government to Ministry's letter dated 23rd February 2015 and also in the absence of Nodal Officer of the state Government the issue cannot be examined. Therefore, it was recommended that State Government may be requested to submit their response to the Ministry's letter and the Nodal Officer FCA of the State Government may be invited for discussion. In the meantime Regional Office, Nagpur may inspect the area at the time of low tide so as to have fair idea of vegetation which gets submergence under water during high tide.
- 8) The observations of the FAC were communicated to the State Government and Regional office, Nagpur by the MoEF, vide its letter dated 12.11.2015 (pg 396/c). The State Govt. vide their letter no. 17/Nodal/II/ID-11862/(45)/2230/15-16 dated 02.03.2016 has submitted clarification on the issues raised by the FAC in its meeting dated 30.09.2015. The details are as under:

Sr. No.	Points	Clarifications
A	User Agency / State govt. Clarify the following issue in writing as well as by making presentation before the FAC.	As under
A(i)	Whether the multipurpose SEZ project is still in progress or is abandoned.	The User agency has informed that Rewas ports limited is developing a multipurpose port for which the forest of 86.44 ha is required to be diverted for non-forest purpose. The multipurpose SEZ project has been withdrawn as per government of India, Ministry of commerce and industry Department of

		Commerce (SEZ Section) letter dated 29.9.2011.
A(ii)	Whether the current project of multipurpose Port by Rewas Ports limited is independent of multipurpose SEZ project.	The user agency has informed that the Multipurpose Port is a separate standalone project independent of Multipurpose project which is now abandoned.
A(iii)	Existence of the Mangrove in the proposed project area and applicability of Mumbai High Court Order dated 27.01.2010 on this.	<p>There were no mangroves in the project area when the proposal was initiated in year 2010-11. However, CCF mangrove Cell. Mumabai, in his inspection carried out on 13.3.2014 & 09.05.2014 Annex-II has reported sparse growth. Mangrove (<i>Avicenna marina</i>) close to coast over an area of 5 ha. These mangroves are probably of recently origin and have attained a height of about 8-10 ft. A small patch within this, extending to about 2 ha is somewhat dense. The govt. of Maharashtra vide letter dated 15.09.2014 has communicated to govt. of India about existence of mangroves in the project area and has requested to add a new condition to this proposal as under-</p> <p>“The User agency shall prepare a general plan for improving the tidal inundation and enriching the existing mangrove vegetation in the area in consultation with the Mangrove Cell. This plan should be implemented by the User agency at its own cost under Supervision of forest Department.</p> <p>In response to the FAC meeting dated 30.09.2015 wherein State Forest Department</p>



		was directed to submit copy of Hon'ble High Court Order dated 27.01.2010 regarding mangroves, PCCF office has submitted copy of the Hon'ble high court, Bombay order dated 27.01.2010 in PIL 87 of 2006 vide letter dated 16.10.2015 to MoEF & CC
A(iv)	Whether the project with new alignment has the EC and MCZMA clearance.	As communicated by the UA vide letter 26.03.2015, The MCZM has recommended the CRZ clearance to MoEF & CC vide letter dated 31.10.2013 and the MoEF&CC has revalidated the Environmental and CRZ upto 02.05.2017 vide letter.
B	The State Govt. shall submit the information sought by the MoEF&CC vide its letter dated 12.02.2013.	The information sought by MoEF& CC vide letter dated 12.02.2013 has already been submitted by PCCF office vide letter dated 30.03.2013. The same has again been submitted vide PCCF Office letter dated 12.05.2015.
C	Regional Office Bhopal / Nagpur should carry out inspection of the project and submit site inspection report at the earliest.	Pertains to Govt. of India Regional office, Nagpur.

9) The reply from Government of Maharashtra and inspection report is examined in the FAC On 03-05-2016.

Recomendation of FAC

FAC after thorough deliberation recommended the proposal with general, standard conditions and following specific conditions:



- i. User agency shall take permission of Hon'ble high court before execution of any work on ground
- ii. User agency shall prepare and submit a general plan for improving the coastal vegetation and enriching the mangrove vegetation in the area in consultation with the Mangrove Cell/Forest department, prior to stage II approval. This plan should be implemented by the user agency at its cost under supervision of the Forest Department.

FAC further recommended that proposal will be placed before competent authority only after following information is received from the state government

- 1) Additional CA land proportional to number of trees in normal plantation per ha to be selected.

Agenda No. 2

F.No.8-412/1989-FC(pt)

Sub: Diversion of 146.31 ha of forest land for construction of Rihand Super Thermal Power Project Stage-III (2x500 MW) Ash Dam and Ash Pipe line in favour of in favour of NTPC in the Sonebhadra district of Uttar Pradesh .

The above proposal was placed before FAC on 03.05.2016. The FAC after examination of proposal and interaction with representatives of user agency observed as below

1. Proposal along with the Site inspection report was considered by the FAC in its meeting held on 12th to 13th September, 2013 and the Committee, after discussion on the proposal, recommended that current proposal for diversion of 146.31 ha of forest land shall be considered for diversion by the Central Government after compliances on the actions, as given below, is completed by the State Government/user agency. As this proposal is an off shoot of the earlier proposal and without obtaining compliance on the first proposal and subsequent grant of stage II, new proposal cannot be considered.
 - (i) The State Government shall submit the justification for forwarding the current proposal without ensuring the compliance of the stage –I approval for the diversion of 744 ha of forest land granted vide MOEF letter dated 23.08.1991.



- (ii) The State Government, should seek amendments in the Stage-I approval dated 23.08.1991 on account of reduction in the forest area from 744 ha to 280.508 ha, along with detailed justification and the reasons for not seeking the amendment of in principle approval till date.
- (iii) The user agency shall submit the detailed justification for commencing the work of the project without obtaining the final approval under F(C) Act 1980.

2. The above recommendation of the FAC were communicated to the State Government vide this Ministry's letter of even number dated 8.10.2013. The State Government of Uttar Pradesh vide their letter dated 13.03.2014 submitted the information as per the observation of the FAC. Summary of the same is given as under:

A. The user agency shall submit the justification forwarding the current proposal without ensuring the compliance of the stage –I approval for the diversion of 744 ha of forest land granted vide MOEF letter dated 23.08.1991

- i. It is mentioned by the State Government and the project proponent that State Government after ensuring the compliance of Stage-I approval, forwarded the compliance report to CCF (Central), Regional Office (Central Region) of MOEF, Lucknow vide letter dated 06.06.2013 from CCF/ Nodal Officer, Uttar Pradesh. This letter was forwarded to MOEF, Delhi along with the Site Inspection Report of CCF (Central), Lucknow vide letter dated 12.08.2013. in this background the following has been mentioned by the project proponent:
 - a. In accordance with the orders of Honorable Supreme Court of India 463.492 ha of Section-4 forest land has been settled in favor of villagers (Para 8). Thus the forest land involved is reduced to 280.508 ha (744 ha - 463.492 ha =280.508 ha)
 - b. NTPC has made payments for compensatory Afforestation for double the area of forest land i.e. 561 ha (2 x 280.508 ha).
 - c. The details of payments made by the user agency against NPV have also been given in Para 6 of the letter dated 31.05.2013.
 - d. The Solicitor General of India has also opined that NTPC is liable to pay compensatory afforestation and NPV vis-a-vis 280.508 Ha of forest land.

B. The State Government, should seek amendments in the Stage-I approval dated 23.08.1991 on account of reduction in the forest area from 744 ha to 280.508 ha,



along with detailed justification and the reasons for not seeking the amendment of in principle approval till date.

- a. Nodal Officer and Conservator of Forests, Lucknow vide letter dated 15.02.1996 addressed to AIG (Forest Conservation), MOEF, Delhi had requested for an amendment in Stage-I approval due to change in forest area from 744 ha to 280.508 ha.
- b. Further, CCF/ Nodal Officer, Lucknow vide letter dated 13.08.2010 addressed to AIG (Forest Conservation), MOEF, Delhi again requested for an amendment in Stage-I approval due to change in forest area from 744 ha to 280.508 ha.
- c. The then DFO, Renukoot giving the full details for changes in forest area as well as compliance of conditions was forwarded vide letter dated 13.08.2010 of CCF/ Nodal Officer, Lucknow to MOEF, Delhi vide letter dated 08.08.2010 .

In addition to above, the project proponent has also submitted the detailed justification for above.

The construction of the project started on 09.02.1983. However, even before the start of construction, a writ petition was pending in the Hon'ble Supreme Court of India since 06.05.1982 and the legal status of Section-4 Forest Land (whether to be considered as forest land or non-forest private land) was sub-judice. As the land allotted to NTPC was also covered under writ Petition and the order of Hon'ble Supreme Court, NTPC got itself impleaded in the petition and requested for release of land in favor of NTPC. Hon'ble Supreme Court, realizing the importance of the project, passed several orders and appointed commissioners to facilitate the release of land in favor of NTPC. Accordingly, the part of Section-4 forest land occupied by the villagers was settled in four of villagers and later transferred to NTPC in accordance to the directives of Hon'ble Supreme Court.

C. The user agency shall submit the detailed justification for commencing the work of the project without obtaining the final approval under F(C) Act 1980.

In this regard the project proponent has mentioned following:

- a. The land allotted to the project consisted of four types of land - Govt. Gram Sabha Land, Private Land, Section-20 Forest Land and Section-4 Forest Land. Realizing



the importance of forest land as well as the regulations associated with it, NTPC did not utilize Section-20 Forest Land at all. The area of Section-20 Forest Land included in proposal for forest clearance was 188.047 Ha. However, till today, NTPC has not utilized any Section-20 Forest Land for the project and the same has also been verified during the site inspection held on 20.11.2012.

- b. In case of Section-4 Forest Land, the legal status was sub-judice and out of total 555.744 ha of Section-4 Forest Land included in proposal for forest clearance, 463.564 ha was settled in favor of villagers and only 92.18 ha remained as Section-4 forest land. Out of 92.18 ha, NTPC has utilized 62.892 ha of Section-4 forest land till date. Remaining 29.288 ha is still in possession of Forest Department as verified during the site inspection held on 20.11.2012. It is also pertinent to mention here that this 62.892 ha of Section-4 forest land existed in small patches and hence could not be avoided by NTPC.
- c. Hon'ble Supreme Court vide order dated 08.02.1989 directed one of its commissioners to facilitate transfer of land to NTPC and observed that the lands which are subjected to the notification under Section-4 of the Forest Act would also come within the purview of the Section-2 of the Forest (Conservation) Act, 1980 and it would, therefore, be necessary for NTPC to obtain appropriate clearance under that Act from appropriate authority. Immediately after this order NTPC applied for forest clearance and Stage-I forest clearance was accorded by MOEF vide letter dated 23.08.1991. However, by this time construction of Stage-I of the project (2x500 MW) was already completed. A copy of letter dated 24.10.1989 from OSD (Forests), Government of UP to A1G at (Flag-I), MOEF, Delhi regarding transfer of forest land through the Member, Board of Commissioners appointed by Honorable Supreme Court under the judgment dated 14.12.1988 is enclosed at (Flag-.1).
- d. It is submitted that provisions of Section 131 of the U.P. Zamindari Abolition & Land Reforms Act, 1950 was amended through the Gazette of Uttar Pradesh dated 15.4.1987 with effect from 30 June 1978. It is further submitted that by virtue of the provisions of Section 131-A of the U.P. Zamindari Abolition & Land Reforms Act, 1950, the Land notified under Section-4 of the Indian Forest Act, 1927, which was settled in favour of villagers being in cultivatory possession of land vested in a Gaon



Sabha under section 117 of the Act, 1950, or belonging to the State Government, in the portion of District Mirzapur, south of Kaimur Range, other than land notified under section 20 of the Indian Forest Act, 1927, before the 30th day of June, 1978, shall be deemed to have become Bhumidhar over such land with effect from the 30th day of June, 1978. Copy of the Gazette of Uttar Pradesh dated 15.4.1987 is enclosed at (Flag-K).

- e. After completion of land settlement proceedings, the net forest area involved in Rihand STPP was established and NTPC has already deposited the payments towards Compensatory Afforestation and Net Present Value, as and when demanded by State Govt. and hence complied with the conditions of Stage-I clearance.
3. In view of the above justification, the project proponent has made following submissions:
- a. NTPC has carried out the construction activities on Section-4 land transferred to it by State Govt. through the Member, Board of Commissioners appointed by Hon'ble Supreme Court under the judgment dated 14.12.1988.
 - b. NTPC has made its best efforts to minimize the utilization of forest land —188.047 Ha. of Section-20 Forest Land initially intended to be utilized has not been utilized at all, though the payments towards CA and NPV have been made for 188.047 Ha of Section-20 Forest Land.
 - c. Out of 92.18 ha of Section-4 Forest Land, NTPC has utilized 62.892 ha only, though the payments towards CA and NPV have been made for entire 92.18 ha of Section-4 Forest Land.
 - d. NTPC has already obtained Stage-I clearance and complied with the conditions of the Stage-I clearance. The delay in obtaining Stage-II forest clearance, has been due to the delay in settlement of cases related to Section-4 forest land occupied by villagers.
 - e. In 1980s, there was acute shortage of power in the country. Rihand STPP was conceived as major project to be set up with the help from British Govt. A time bound implementation of the project was the essence of the time.



- f. It is therefore requested that the Stage-I clearance for Rihand STPP issued vide MOEF letter dated 23.08.1991 may kindly be amended for change in area (from 744 ha to 280.508 ha) and Stage-II clearance for 280.508 ha of forest land may kindly be issued.
- g. It is further requested that forest clearance for diversion of 146.31 Ha. of forest land for construction of Rihand Super Thermal Power Project, Stage-III (2x500 MW) Ash Dyke and Ash Pipeline may kindly be issued. Both the units under Stage-III have already been commissioned and the ash dyke is urgently required for the units to continue power generation.
3. Regional office, Lucknow of the MoEF has recommended that current proposal for Diversion of 146.31 ha of forest land for construction of Rihand Super Thermal Power Project Stage-III (2x500 MW) Ash Dam and Ash Pipe line in favour of NTPC in the Sonbhadra district of Uttar Pradesh should be considered only after Settlement of diversion of 744 ha of forest land, pending for final approval under the FC Act, on which the thermal power station complex have been established.
4. Regional office, Lucknow of the MoEF in its Site Inspection Report has intimated that construction work for phase –III is in progress within the area of 744 ha for which final approval is yet to be issued.
5. From the clarification submitted by the State Government and after detailed deliberations following is concluded
- i. This is the case of regularization of violation under FC Act as the project (stage I) was already completed by the time stage-I approval was granted in 1991 The user agency applied for central Government approval under FC Act1980 on the direction of the Hon'ble Supreme Court issued its order dated 8th Feb.1989 in which legal status of the land involved in the project was decided by the court.
 - ii. The project proponent failed to submit compliance of the stage I approval dated 23.08.1991 till 6/6/2013.The delay was stated to be due to the delay in settlement of cases related to Section-4 forest land occupied by villagers.
 - iii. Out of 744ha of forest land(555.744ha RF under section 4 and 188.047 RF under section 20 of the Indian Forest Act1927) for which approval under F(c)



Act was sought 62.892ha of Forest land has been used by the user agency in violation of the Forest (conservation) Act,1980 since 1983, the date of commencement of the project. (Out of 555.744ha of Section 4 land 463.564ha of land was settled in favor of villagers vide Supreme Court's order dated 08.02.1989. Out of remaining 92.18 ha Section 4 forest land 29.288 ha land is in possession of State Forest Department. Balance 188.047 ha of RF land under section 20 of the IFAs has not been utilized by the User Agency for the project.)

- iv. Out 280.227 ha of forest land(92.18 ha of RF under Section 4 of IFA and 188.047 ha RF under Section 20 of IFA) only 62.892 ha has been actually utilized by the user agency for non-forestry purpose and the project for which forest land was requested is already completed. Therefore there is no justification for diversion of 217.335 ha of forest land (29.288 ha of section-4 land already in possession of State Forest Department and 188.047 ha of RF land under section 20 which has not been utilized for the non-forestry purpose till the completion of the project.
 - v. Since the NTPC is central Government PSU they are entitled for Compensatory Afforestation over double the degraded forest land.
6. In view of the above, the FAC recommended the following.
- i. Stage I approval accorded by the MoEF may be amended to the extent that diversion of only 62.892ha of Forest Land which has actually been utilized for the project subject to the general, standard conditions and following additional conditions
 - i. State Government shall raise penal compensatory afforestation from funds to be realized from the user agency, over degraded forest land twice in extent to the forest land utilized for non-forest purpose without obtaining approval under the FC Act; (62.892ha).
 - ii. State Government shall realize from the user agency penal NPV @ 20 % of the rates applicable on the date of grant of the amended Stage-I approval, of forest land utilized for non-forest purpose(62.892ha) without obtaining approval under the FC Act for each year or fraction thereof. (**Explanation:** In case a patch of forest land has been utilized for non-forest purpose without obtaining approval under the FC



Act for 3 years, penal NPV to be realised in respect of such forest land will be at the rate of 60 % of the rates applicable on the date of grant of stage-I approval.);

- iii. State Government should initiate action against the user agency in accordance with the provisions of the Indian Forest Act, 1927 or relevant local Forest Act of the State Government for use of 62.893ha of forest land without prior approval of the State Government.
- iv. State Government should initiate an enquiry to find out whether state government officials prima facie failed to restrain the user agency to utilize the forest land during the period from 1983, year of commencement of the project to 08/02/1989, the day Honorable Supreme court ordered transfer of land to NTPC and subsequent period. And initiate proceedings against the official found guilty.
- ii. 'The above recommendation of the committee will be placed before the competent authority only after examination of following information on receipt from the state Government.
 - i. Re-confirmation from the State Government that 29.288 ha of forest land which is claimed to have been not utilized by the user agency is in possession of the Forest Department.
 - ii. Status of the 188.047 ha of RF under section 20 of the IFA 1927 which is claimed to have not been utilized by the user agency. Whether the land is transferred to the user agency or is in possession of the Forest Department.
 - iii. Location of 62.892 ha of forest land on SOI topo sheet and DGPS maps of the forest land.
 - iv. Letter of the commissioner appointed by the Hon'ble Supreme Court restraining the concerned DFO from stopping the project activities as claimed by vthe user agency during presentation.
 - v. Compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in accordance of the MoEF's guidelines dated 03/08/2009 read with guidelines dated 5th July 2013 has to be submitted by the State Government.
- iii. The current proposal of Diversion of 146.31 ha of forest land for construction of Rihand Super Thermal Power Project Stage-III (2x500 MW) Ash Dam and Ash Pipe



line in favour of NTPC in the Sonbhadra district of Uttar Pradesh will be considered by the FAC only after issue of amended stage- I approval, subsequent submission of compliance report and issue of stage II approval. In the meantime the state government may keep ready following information which will be required if the MoEF takes decision to consider this proposal after issue of stage II approval of the previous project

- i. Since item of works proposed are not site specific the user agency shall submit detailed justification for establishing the Ash dam and Ash Pipe line at the proposed location along with report on exploring at least three alternatives which should also highlight the availability/non-availability of Non-Forest land.
 - ii. Compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in accordance of the MoEF's guidelines dated 03/08/2009 read with guidelines dated 5th July 2013 has to be submitted by the State Government
- iv. The state government may further be advised to
- i. Stop the construction work for phase –III which is in progress within the area of 744 ha for which final approval is yet to be issued.
 - ii. State Government should inquire into the matter and initiate action against the user agency in accordance with the provisions of the Indian Forest Act, 1927 or relevant local Forest Act of the State Government for starting the construction work for phase –III without prior approval of the State Government.

2. Accordingly, State Government was requested vide MOEF and CC letter dated 27.05.2014 to comply with the above recommendation of the FAC and a report may be sent to this Ministry for further necessary action.

In response to this letter, CCF & Nodal Officer (FCA), Govt. of Uttar Pradesh, Lucknow vide his letter No. 2106/11-C-794 dated 31.03.2016 furnished their response for letter dated 27.05.2015 as detailed below:



S. No.	Point raised in part (a) of the letter dated 27.05.2014	Response of Nodal Officer (FCA)
i)	Re-confirmation from the State Government that 29.288 ha of forest land which is claimed to have not been utilized by the user agency is in possession of the Forest Department.	In response to this point, it is to inform that Government of India vide letter No. 8-412/89-FC dtd. 23.08.1991 has accorded in-principle clearance for transfer of 744 ha of forest land to NTPC, out of which 29.288 ha forest land which is notified under Section-4 of Indian Forest Act, 1927 has not been utilized by NTPC and the forest land is in possession of Forest Department as in past.
ii)	Status of the 188.047 ha of RF under section 20 of the IFA 1927 which is claimed to have not been utilized by the user agency. Whether the land is transferred to the user agency or is in possession of the Forest Department.	In response to this point, it is to inform that Government of India vide letter No. 8-412/89-FC dtd. 23.08.1991 has accorded in-principle clearance for transfer of 744 ha of forest land to NTPC, out of which 188.07 ha forest land which is notified under Section-20 of Indian Forest Act, 1927 has not been utilized by NTPC and the forest land is in possession of Forest Department as in past
iii)	Location of 62.892 ha of forest land on SOI topo sheet and DGPS maps	In response to this point, it is to inform that Government of India vide letter No. 8-412/89-FC dtd.



	of the forest land.	23.08.1991 has accorded in-principle clearance for transfer of 744 ha of forest land to NTPC, out of which 92.892 ha forest land which is notified under Section-4 of Indian Forest Act, 1927 is being utilized by NTPC. Area of 62.892 ha forest land marked on topo sheet and DGPS map of the proposed forest land are enclosed
iv)	Letter of the commissioner appointed by the Hon'ble Supreme Court restraining the concerned DFO from stopping the project activities as claimed by the user agency during presentation.	In response to this point, it is to inform that Shri Ram Prakash Pandey, Commissioner was appointed in compliance to the order of Hon'ble Supreme Court dtd. 20.11.1986 under writ petition no. 1061/1982 of Banwasi Seva Ashram to make available Section-4 land occupied by farmers to NTPC. The Section-4 forest land occupied by farmers was verified by Shri Ram Prakash Pandey and the forest land was made available to NTPC. A copy of letter from the Commissioner appointed by Supreme Court in which DFO was prevented from stopping the work is enclosed.
	Compliance of Scheduled Tribe and	FRA compliance was not



v)	Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in accordance of the MoEF's guidelines dated 03/08/2009 read with guidelines dated 5 th July 2013 has to be submitted by the State Government.	submitted
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- The Committee also desired that the State Government may keep ready following information in respect of current proposal i.e. 146 ha of forest land for construction of Ash Dam and Ash Pipe line:

S. No.	Point raised in part (b) of the letter dated 27.05.2014	Response of Nodal Officer (FCA)
i.	Since item of works proposed are not site specific the user agency shall submit detailed justification for establishing the Ash dam and Ash Pipe line at the proposed location along with report on exploring at least three alternatives which should also highlight the availability/non-availability of Non-Forest land.	In response to this point, it is to be informed that NTPC proposed to construct ash dam and ash pipeline on 188.07 ha forest land which is notified under Section-20 and included in 744 ha forest land. However, it was directed by Govt. of India letter no. J-13011/57/2008-IA-II(T) dtd. 05.02.2009 that the construction of ash dyke be undertaken beyond 500 m of the FRL of Gobind Ballabh Pant Sagar (Rihand Reservoir). Due to this reason only, 146.31 ha forest land which is located beyond 500 m from GBPS and has less tree density as compared to nearby area has been identified for construction of ash dam and ash pipeline. The complete details regarding the above mentioned land being minimum required for the proposed activities and non-availability of



		alternate land had already been enclosed in the transfer proposal. In this regard, a copy of letter no. 070/EDRH/2015 dtd. 07.03.15 along with all enclosures from the user agency NTPC is enclosed.
ii.	Compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in accordance of the MoEF's guidelines dated 03/08/2009 read with guidelines dated 5 th July 2013 has to be submitted by the State Government.	In this regard, a report given by Chief Conservator of Forests, Mirjapur Circle is referred wherein it is mentioned that the Hon'ble Court has passed an order which is under consideration of the Govt. However, FRA compliance is given.

- The FAC has further recommended that the State Government may be advised to:

S. No.	Point raised in part (c) of the letter dated 27.05.2014	Response of Nodal Officer (FCA)
i	Stop the construction work for phase -III which is in progress within the area of 744 ha for which final approval is yet to be issued	In response to this point, it is to inform that in compliance to the orders issued by Hon'ble Supreme Court under writ no. 1061/1982, Shri Ram Prakash Pandey, Commissioner was appointed to



		<p>make available Section-4 land occupied by the farmers to NTPC and the Section-4 land occupied by the farmers was made available to NTPC. The work of phase-III has been undertaken by NTPC on this land only. An order dtd. 16.09.1989 was issued by the office of the Board of Commissioners, Supreme Court of India preventing the stoppage of construction work, a copy of which had already been made available earlier.</p>
ii	<p>State Government should inquire into the matter and initiate action against the user agency in accordance with the provisions of the Indian Forest Act, 1927 or relevant local Forest Act of the State Government for starting the construction work for phase – III without prior approval of the State Government.</p>	<p>(ii) In response to this point, it is to inform that Government of India, Ministry of Environment & Forest, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi-110 003 vide letter no. 8-412/89-FC dated 23.08.1991 has issued in-principle clearance for transfer of 744 ha of forest land under two conditions which includes 188.07 ha Section-20 forest land and 555.93 ha Section-V forest land. Phase-III work has been undertaken by NTPC in Section-4 land only.</p>

3. It is also to mention here that a joint inspection of the area under question was held on 20.11.2012 by Chief Conservator of Forests (Central), MOEF Regional Office, Central



Region, Lucknow along with the officials of NTPC and Forest Department. It is mentioned in the report forwarded after inspection that NTPC has undertaken non-forestry activities on forest land without obtaining formal approval, on account of which a condition should be stipulated regarding compensatory afforestation on double area of the degraded forest area. Therefore, it will be pertinent to include a condition regarding deposition of compensatory afforestation amount on 1112 ha degraded forest land which is double the section-4 forest land of 555.93 ha.

In addition to the above, it is also to mention that NTPC has not undertaken any activity related to construction of ash dam or pipeline on proposed 146.31 ha forest land and the status of forest land is maintained as it was in the past.

4. In view of the above the Government of Uttar Pradesh has requested this Ministry to Consider the proposal for approval under section 2 of the Forest (Conservation) Act, 1980

Recommendation of FAC

FAC after thorough deliberation recommended that the

1. User agency to search alternate non forest land for construction of ash Dyke.
2. Regional office Lucknow shall reinspect the area and report the present legal status of 744 ha for which stage I approval was granted under Forest (conservation) Act in 1991

Agenda No. 3

F. No. 8-07/2016-FC

Sub.: Application for approval of MoEF & CC under Section 2 (iii) of FC Act, 1980 concerning of 177.25 ha. of forest land falling in the mining lease area (Limestone mineral) of Narmada Cement – Jafrabad works, Ultra Tech Cement Ltd. at Village- Babarkot, Ta. Jafrabad, Dist. Amereli, Gujarat– regarding.

The above stated proposal was placed before FAC on 03-05-2016.FAC after thorough deliberation observed that:

- 1) The State Government of Gujarat vide their letter No. FCA-1016/6-01/16/S.F-17/F dated 28.03.2016 has forwarded the application of M/s. Ultratech cement Ltd. Seeking approval under section 2 (iii) of Forest (Conservation) Act, 1980 Pertaining to 177.25



- ha. of forest land falling in the mining lease area (Limestone mineral) of Narmada Cement – Jafrabad works, Ultra Tech Cement Ltd. at Village- Babarkot, Ta. Jafrabad, Dist. Amereli, Gujarat.
- 2) The project is located in Gir Foprest Division in Amereli Gujrat.
 - 3) No compliance of FRA as there is no physical diversion of the forest land involved
 - 4) Narmada Cement- Jafarabad Works was established a cement plant in 1982. The present Clinker capacity is 1.50 MMTPA. The company has two grinding units at Magdala (Surat) and Ratnagiri (Maharashtra). The Unit is ISO 9001:2008, ISO 14001:2004, OHSAS 18001:2007, ISMS 27001:2005 & SA 8000:2008 certified. It is India's first split location dry process cement plant.
 - 5) The requirement of limestone for the Narmada Cement plant is fulfilled by Narmada Cement Mine (Captive Mine) with total lease hold area of 565.94 Ha.
 - 6) Narmada Cement Mine of UltraTech Cement Limited is situated in Babarkot Village near port town of Jafarabad, approximately on the southernmost point of Saurashtra peninsula. The lease area is located east of Jafarabad Town, District Amreli, Gujarat.
 - 7) The lease area of 565.94 hectares falls within the revenue limits of Babarkot village.
 - 8) The company has submitted application for General Approval of forest area of 177.25 Ha. Forest land in 565.94 Ha. Mining lease.
 - 9) This proposal was recommended by State Govt. to MoEF on 28-03-2016 vide their Letter No. FCA-1016/6-01/16/S.F-17/F dated 28th March 2016.
 - 10) Narmada Cement–Jafrabad Works, unit of UltraTech Cement Ltd. was granted Mining Lease for 565.94 Ha. In village Babarkot with effect from 02-01-1979 for the period of 20 years prior to the enactment of Forest Conservation Act 1980.
 - 11) The feasibility of the plant was based upon the mineral available from the allotted mining lease.

Sl.No	Area(Ha)	Date of Grant	Date of First Execution	Name of first Grantee	Date of Transfer (In favour of Narmada Cement Company Limited)



1	258.1400	25.09.1978	02.01.79	M/s. Chowgule & Co. Pvt. Ltd	19.04.1979
2	286.9181	14.09.1979	11.02.80	M/s. Chowgule & Co. Pvt. Ltd	16.05.1980
3	20.8817	31.12.1979	03.03.80	Narmada Cement Company Limited	NA
Consolidation of above three leases into one lease of 565.9398 Ha was granted on 07.06,1988 to be co-terminus with the earlier expiring lease and Lease was executed on 18.07.1990 in favour of M/s Narmada Cement Co.					

12) The mining Lease specified and granted by Govt. included forest area of 177.25 ha. In the mining Lease.

Breakup of the Forest area in the Mining Lease				
Sl. No	Type of Use	Survey Nos.		Total
		69/P	366/P	
1	Broken Area(Before 1998)	14.57	59.26	73.83
2	Area under existing Infrastructure, viz. Buildings, Power Station, Work Shop, town ship, Haul roads etc.	17.37	11.16	28.53
3	Area under storing of tools and Machinery	2.77	0	2.77
4	Balance Area	46.22	25.9	72.12
	Total Area	80.93	96.32	177.25

Mining Lease Area	565.94	Ha.
Forest area in Lease	177.25	Ha.
Balance area	388.69	Ha.

13) The then Nodal Officer, FCA wrote to Director Wild Life Institute of India to carry out EIA over 177.25 Ha forest area vide his letter no. FCA/29/C/251718/2003-04 dated 27th Jan 2004.

- 14) WII has submitted the report titled “Ecological study of the area under consideration of renewal of mining lease”, 2005. The Principal Investigators for this project were Dr. Y V Jhala and Dr. Asha Rajwanshi.
- 15) WII has conducted detailed Ecological assessment report in 10 KM radius around the mine lease area in the context of conservation priorities of the Gir landscape (copy available at page sr. no.
- 16) The important findings of the study report are briefly captured here under;
- No established Lion populations exist in the impact zone nor does the area have potential to support viable resident population unless the current land use practices are substantially altered. In the given administrative scenario this seems unlikely as the impact area is honeycombed with private/agriculture lands.
 - The study reveals that the geographic location of the proposed lease area it does not lie in any current or potential movement corridor of lions.
 - The study report features Lion visitation in the recent times, probably due to increase within the source population in Gir Protected area.
 - It even states that even if in future adequate resources are made available for expanding the Gir Protected area, the impact zone of the proposed lease area would not feature for consideration to be included as a part of a protected area system.
 - Interestingly the report has brought out complacent positive attitude among the local communities to the presence of Lions in comparison to Blue Bull.
- 17) For improvement of the ecosystem productivity, the WII has recommended mitigative/ameliorating measures for meeting the ecological requirements of the increasing wild life population in general and Lions in particular for increasing the carrying capacity of the impacted area.
- 18) Accordingly the company has prepared mitigating plans with the concurrence and approval of the Forest department.
- 19) The company submitted diversion proposal u/s 2(ii) for 75.94 ha. Land on 11-09-2012. This is under process at State Government. The details are as below:

Sr. No	Pattern of Utilization	Survey No.		Total
		69/P (In Ha)	366/P (In Ha)	

1	Broken before 1998	14.57	16.45	31.02
2	Area Existing infrastructure viz. buildings, power stations, workshop etc., haul roads	12.88	14.46	27.34
3	Area under Storing of tools & machinery	2.77	-	2.77
4	Area to be broken	14.81	0	14.81
	TOTAL	45.03	30.91	75.94

20) The proposal for General Approval of forest area 177.25 Ha. Forest land in 565.94 Ha. Mining lease was recommended by State Govt. to MoEF on 28-03-2016 vide their Letter No. FCA-1016/6-01/16/S.F-17/F dated 28th March 2016 along with the above details.

Recommendation of FAC

After thorough deliberation FAC recommended the proposal for approval under section 2(iii) of Forest (Conservation) Act 1980 with general, standard and following specific condition:

- A) No physical diversion of forest land will be allowed and no breaking up of forest land to be permitted.
- B) The project proponent has to pay full NPV for the area.
- C) The grant of permission under section 2(iii) of Forest (Conservation) Act 1980 will not confer any right on the project proponent for diversion under section 2(ii) of Forest (Conservation) Act 1980.
- D) The forest department will be free to manage the forest area as per normal management practices and working plan prescriptions

Agenda No. 4

File No. 8-98/2011-FC

Sub: Diversion of 187.20 ha of forest land (Surface forest land = 172.25 ha and underground area = 14.95 ha) for construction of Tawang H.E. Project –Stage-I (600

MW) on Tawang Chu River in Tawang District by NHPC, Tawang District of Arunachal Pradesh.

The above proposal was placed before FAC on 3.05.2016 .After thorough deliberation FAC observed that

- 1) The state government submitted the proposal for diversion of 187.20 ha of forest land (Surface forest land = 172.25 ha and underground area = 14.95 ha) for construction of Tawang H.E. Project –Stage-I (600 MW) on Tawang Chu River in Tawang District by NHPC, Tawang District of Arunachal Pradesh vide letter no FOR .10-54/CONs/2009/27612-16 dated 21.9.2011.
- 2) The project is located in Social forestry division, Tawang in Tawang district Of AP
- 3) Legal status of the forest is Unclassed forest land with 0.8 as density of vegetation.
- 4) Total trees to be affected are 1,99,505, which included 1,19,225, below 60 cm girth and 80,280 trees above 60cm girth. Most of them are Coniferous species.
- 5) The area is Rocky and stable, not vulnerable to erosion
- 6) The area do not forms part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc.
- 7) No, rare and endangered flora and fauna is found/reported from the proposed area
- 8) The proposed area is the barest minimum and unavoidable.
- 9) Compensatory afforestation site is proposed over 344.5 ha over degraded community land at Belting village of Dudungahar circle Lunla Sub division Falling under Tawang social Forestry division .
- 10) Total financial outlay for compensatory afforestation scheme is 12,12,94,756/-'
- 11) Total number of affected families 292. A total financial outlay of Rs. 1271.90 lakhs has been proposed for R&R .
- 12) The site inspection has been carried out by regional office on 15th and 16th January, 2012
- 13) The proposal is recommended by DFO,CCF, Nodal Office and state Government.
- 14) The above proposal was placed before FAC in its meeting held on 02.04.2012 and
- 15) FAC recommendations were communicated to the State Government vide this Ministry's letter of even number dated 30th April, 2012.
- 16) Subsequently, referring to the recommendations of the FAC, a reference was received from the Hon'ble Chief Minister of Arunachal Pradesh clarifying that Biodiversity



Study has been undertaken and conservation plan prepared separately for both projects envisaging an investment of Rs. 5.40 crores for Tawang Stage-I and Rs. 4.53 for Tawang Stage-II project. The same has been incorporated in the EIA and EMP reports of the projects which were duly considered by the Expert Appraisal Committee (EAC) and MoEF while according environmental clearance to the project.

- 17) Taking cognizance of the above letter of Hon'ble Chief Minister of Arunachal Pradesh, the proposal was again considered by the FAC in its meeting held on 17th to 18th September, 2012.
- 18) The Committee discussed the above proposal for diversion of forest land for Tawang I Hydro-electric projects. The Committee took note of the letter written by the Hon'ble Chief Minister of Arunachal Pradesh addressed to the Hon'ble Minister, Environment and Forests regarding biodiversity study of the Tawang River Basin.
- 19) The representatives of the user agency made a request that they may be granted stage-I clearance with a condition that the study envisaged will be conducted before stage-II clearances. However, the Committee felt that a comprehensive study to assess the impact of not just Tawang-I and II projects but other projects planned in the basin is required before the projects are considered for clearance. Some of the issues that should be addressed in such a study may be as indicated below:
 - a) An assessment is required to be made as to what is the minimum ecological water flow at different places along the river and its tributaries that should be maintained. The parameters of all projects have to be adjusted to ensure this ecological water flow. The State Government also has to come out with details of all projects planned in the river system to ensure correct assessment.
 - b) A study is required to be made to assess the overall impact of the projects on hydrology, biodiversity, ecology of the area especially the aquatic ecosystem of the river and the vegetation in the adjoining land area.
 - c) The environmental impact of the projects planned in the river system on individual basis as well as on cumulative basis needs to be studied.
 - d) As large number of projects are planned on the river system, a serious thought need to be given to disaster management. A proper disaster management plan keeping in view all the projects needs to be chalked out.



- e) The impact of the projects on livelihood including displacement of the people and consequent pressures on the environment has to be adequately assessed and addressed.
- 20) Accordingly, the Committee recommended that a comprehensive study to address the above issues needs to be undertaken.
- 21) The Committee further suggested that in order to undertake the study should comprise of experts from field of hydrology, ecology, wildlife, sociology, hydro power design engineers and disaster management. Some of the institutions that may have expertise and may be involved in the study would include Wildlife Institute of India, Dehradun, IIT Guwahati, National Institute of Hydrology, Roorkee, Central Water Commission, and reputed NGOs working in the above fields. The team may include regional institutions as well as independent experts of national standing.
- 22) The IA.I Division vide their letter No. J-12011/13/2015-IA.1 dated 03.02.2016 has now submitted a report on Tawang Chu River in Tawang District by NHPC Tawang District of Arunachal Pradesh.in connection with the proposal for diversion of 187.20 ha of forest land (Surface forest land = 172.25 ha and underground area = 14.95 ha) for construction of Tawang H.E. Project –Stage-I (600 MW).
- 23) The major approved recommendations of the study report as outlined below may kindly be considered for further necessary action for development of HEPs in Tawang river basin is given below:

Major Recommendation:

- (i) 11 proposed HEPs totalling 2802.20 MW of installed capacity have been considered in the basin. List of project considered is attached at Annexure-I (F/A).
- (ii) 2 proposed HEP projects totalling 103 MW capacities as against the total planned capacity of 2802.20 MW for 11 HEP projects in the basin have been recommended to be dropped. The details of dropped HEPs is given in annexure II of the report. These projects shall not be considered for EC/ FC or any other approval by State/ Central Government.
- (iii) These 2 HEPs shall not be re-allocated by altering their features, location, names, etc. In the location of river stretches where these projects have been recommended to be dropped, NO HEP should be developed.



- (iv) On the other free stretches of tributaries, no further HEPs should be planned/ allotted in the entire Tawang basin even if they are of smaller capacity (less than 25 MW) and do not fall under the purview of EIA Notification, 2006.
- (v) For the remaining 9 HEPs, environmental flow release has been recommended are attached as Annexure-III (These must be conditioned in the final approval of the HEPs.
- (vi) The E-flow of Nyamjang Chu HEP as proposed is 70 % in the lean season will have implication on the project viability/ capacity. The conservation issues of Black-necked crane which is seen in its proximity needs to be addressed. A study in this regard may be commissioned through Wildlife Institute of India (WII) or its equivalent because E-flow for this HEP has been indicated based on only one season study. Therefore, the E-flow values for Nyamjang Chu project may be finalized with four seasons study.
- (vii) Mitigation measures suggested for taking up by all the individual projects.
- a) Strict management and regulatory measures be adopted for pollution control, e-flow as recommended, needs to be strictly maintained to minimize the impact on faunal species.
 - b) Proper muck disposal arrangement to be ensured.
 - c) Impacts of noise due to drilling, tunnelling, blasting and vehicular movements on the faunal groups to be minimised. For this high-tech equipments to be used.
 - d) Vehicular movement may be regulated to check noise pollution.
 - e) To mitigate the impacts of influx of population and pressure on the local natural resources, appropriate regulatory mechanism has to be in place.
 - f) To minimize the impact of invasion alien species (IAS), the existing identified IAS should be weeded out and adequate measures should be taken to avoid introduction of new IAS through appropriate quarantine measures. An appropriate policy to regulate the introduction of IAS needs to be formulated by the Government of Arunachal Pradesh.
 - g) Afforestation programmes using dominant native tree species and woody shrubs are to be undertaken to compensate the floral and faunal losses in the project areas. The activities planned under compensatory afforestation and catchment area treatment and biodiversity management plan in the report should be strictly followed.
 - h) To mitigate the possible impacts due to seismicity, safety criteria are to be followed in design of the barrage/ dam.
 - i) For fish migration, fish ladder at all the project sites should be a part of barrage design.



Prescribed e-flow must be ensured at all project sites, and regulatory steps to minimise the pollution close to zero discharge by polluters should be taken.

- j) All the activities/ interventions/ suggested in the report under biodiversity and development plan at landscape/district levels may be made mandatory for the individual projects. The specific activities recommended in the landscape level plan those fall within the 10 km radius of the projects should be taken up by the respective proponents. The project proponents, for this purpose, should refer this report.
- (viii) Specific measures suggested for taking –up by the individual projects Tawang-I

Adequate care must be taken so save the existing tourist spot (Nuranang falls) from the adverse impacts of barrage construction. Religious sites are to be left undisturbed.

a) Tawang-II

The habitats for birds are to be protected. The host plant species must be planted under various afforestation programmes, and artificial nest boxes must be installed in sufficient number. No religious sites should be disturbed.

Recommendation of FAC

After thorough deliberation FAC recommended that

- A) User agency to submit the shape files of the forest Land proposed for diversion.
- B) Muck Dumping sites to be revisited and shifted to non forest areas.
- C) Forest areas for construction of colony shall be excluded from the proposal
- D) User agency to submit complete compliance of FRA in accordance to the guidelines issued by MOEF and CC.
- E) User agency to submit R and R plan duly approved by competent authority.
- F) Copy of Cumulative Impact assessment and carrying capacity study of Tawang river basin in Arunanchal Pradesh to be circulated and discussed in the next FAC.A presentation to be made by the organisation which carried out the study.

Agenda No. 5

F. No. 8-35/2015-FC



Subject: Diversion of 90.8605 ha of reserved forest land for development of port backup facilities in favour of Adani hazira Port Pvt. Ltd. in Hazira, Surat District, Gujarat .

The above stated proposal was placed before FAC on 03-05-2016. After thorough deliberation FAC observed that

- 1) State of Govt. of Gujarat vide their letter no. Forest (Conservation) Act, 1980-1015/10-11/15/S.F-72/F dated 19.11.2015 submitted a proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980 for Diversion of 90.8605 ha of reserved forest land for development of port backup facilities in favour of Adani Hazira Port Pvt. Ltd. in Hazira, Surat District, Gujarat.
- 2) The project is located in Surat Forest division of Surat district in Gujrat.
- 3) The land is declared forest under sec4 and section 20 of IFA 1927
- 4) The project is in open forest cover with *Prosopis juliflora*.
- 5) Total number of trees to be felled are 25530 trees.
- 6) Compensatory afforestation is to be carried out in over non forest land of 100 ha. at village Bachunda, abdas dist. Kucch
- 7) Cost benefit ratio has been given as 1:1.79
- 8) The area do not forms part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc.
- 9) No any other rare/endangered/unique species of flora and fauna except vulture in this area are reported
- 10) No work in violation of the Act has been carried out
- 11) The requirement of forest land as proposed by the user agency is unavoidable and barest minimum for the project. The project is recommended by DFO, CCF, Nodal officer and State government
- 12) The project authority has agreed to defray the cost of Compensatory Afforestation for 10 years, NPV and clearance of vegetation.
- 13) The project area is outside scheduled tribal area.
- 14) The Environmental clearance has been accorded vide letter dated 3/05/07 and corrigendum dt 03.05.2013.
- 15) The project authority has fulfilled the compliance under FRA, 2006. There are a two Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 certificate with respect to 146 ha. and 228.0747 ha .



16) DCF has reported that out of 90.8506 ha of forest land demanded by Adani Hazira Port Pvt. Ltd. in Hazira, Surat District, Gujarat, 14 ha is earlier demanded by ESSAR Bulk terminal ltd. Both agencies had not given NOC to each other.

17) Site Inspection Report by CCF Surat.

Site inspection of the said project was carried out on 29.04.2014. and on inspection of the site it was found that some mangrove area were falling in the said proposal and therefore user agency was asked to exclude such areas from the proposal and again a revised proposal has been received by this office from Adani Hazira Port Pvt. Lt at Hazira for diversion (under Forest (Conservation) Act, 1980) of 90.8605 ha of forest land for non forestry purpose. The site inspection of the site was again carried out by CCF Surat on dt. 20.08.2014. The project envisages the use of forest land for development of Central Cargo Complex in Hazira.

On inspection of the site it was found that the land required by the user agency is reserved forest and un-class forest admeasuring 90.8605 ha.

The requirement of forest land proposed by the agency in Col.no-2 of part – 1 is unavoidable and barest minimum for the project

The area requirement of the listed facilities has been provided in the following table.

Sr.	Description	Area (In.Ha.)
1.	Open stockyard area & open hard stand including rail siding, open water channels like storm water, effluent water garland channels etc for coal, iron ore, steel, cement farm yard, manure pipe etc.	32.80
2.	Utility/liquid bulk pipe line	06.860
3.	Liquid tank farm area	13.140
4.	Area for container storage facility & related ancillary facility	02.13
5.	Cargo Storage – Godown	35.9305
6.	Total Land Requirement	90.8605

18) The two proposals for the same user agency and same purpose have been submitted for consideration by this Ministry's letter dated 8-36/2015 dated 05/12/2015.



19) The State of Govt. of Gujarat vide their letter no. Forest (Conservation) Act, 1980/29-B/A/26-29/2016-17 dated 06.04.2016 submitted a justification of two proposals for diversion of 210.1594 ha of reserved forest land for development of port backup facilities in favour of Adani hazira Port Pvt. Ltd. in Hazira, Surat District, Gujarat. In this regard, it is informed that another proposal of the same user agency for diversion of 90.8605 ha of reserved forest land for the same propose in Hazira, Surat District, Gujarat has been received vide your letter no. FCA-1015/10-11/15/S.F-72/F dated 19.11.2015. justification of the proposals given below:

- Adani-Hazira port Pvt Ltd, submitted proposal under FCA, 1980 to DCF Vyara, seeking forest land admeasuring 614.34 ha of Hazira and Suvali of taluka Choryasi, as below,
- DCF Vyara vide letter dtd 06-01-2010 informed that are being more than what is available, and also has overlapping issues with other agencies, may be reconsidered and resubmitted. Accordingly, proposal was resubmitted.
 - 338.68 ha of forest land vide letter dtd 04-02-2010, for port back up facilities,
 - 176.15 ha of forest land, vide letter dtd 28-06-2010 for central cargo Complex,
 - 99.51 ha of forest land, vide letter dtd 07-10-2010 for port back up facilities
- Area demanded being more, proposal was returned and applicant were informed vide letter dtd 16-06-2010 to reconsider the area demanded and submit revised proposal.
- Revised proposal was submitted by Adani-Hazira port Pvt Ltd on 30-08-2011 for 244.93 ha, 110.42 ha and 21.29 ha.
- Due to re-organization of forest divisions and formation of new Surat division, in 01-10/2011, to have conformity with forest area availability in newly reorganized Surat division, DCF Surat, vide letter dtd 07-04-2012, requested the resubmission of proposal with new area availability consideration.
- The area demanded above, having overlapping issues with Essar Steel Pvt Ltd, in meeting held in APCCF land Gandhinagar, on 28-04-2012, revised proposals, with due modification, were requested.
- Accordingly, Adani-Hazira port Pvt Ltd submitted separate proposals for 110.42 ha & 21.29 ha on 18-06-2012 and 247.52 ha on 14-09-2012.



- The area demanded having good mangroves in 27.25 ha, agency was informed to exclude the same and accordingly, after excluding the mangroves area, the third proposal was revised to 210.15 ha and re-submitted on 02-11-2013 to DCF Surat.
- Under instructions from APCCF land, other two proposals were instructed to be consolidated into one proposal of 90.86 ha and the same was submitted to DCF Surat on 18-07-2014.

Thus, it is apparent that owing to the issues of forest area demanded, forest area availability, genuineness of forest area requirement, area overlapping issues, exclusion of mangrove areas, repeated revision and resubmission of proposals, separate proposals have been submitted. It is also submitted that Nodal Officer, FCA Gujarat has facilitated the consolidation of two proposals into one where it was possible. User agency has also clarified that their project is planned to be developed in different phases, hence they have submitted separate proposals.

20) The proposal along with justification was considered by FAC.

Recommendation of FAC

After thorough deliberation FAC recommended the proposal for approval under section 2(ii) of Forest (Conservation) Act 1980 with general, standard and following specific conditions

- A) User agency to prepare and submit a general plan for improving the coastal vegetation and enriching the mangrove vegetation in the area in consultation with the Mangrove Cell/Forest department prior to stage II approval This plan should be implemented by the user agency at its cost under supervision of the Forest Department.
- B) User agency has to raise 50 m wide shelter belt plantation on sea side with in forest land proposed for diversion .This will be over and above the compensatory afforestation scheme .Only local indigenous species shall be raised for the green shelter belt and areas in the interspaces of the project area.

FAC further recommended that proposal will be placed before competent authority only after following information is received from the state government



There are two certificates under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 with respect to 146 ha. and 228.0747 ha which need clarification from the state

Agenda No. 6

F. No. 8-36/2015-FC

Sub: Diversion of 210.1594 ha of reserved forest land for development of port backup facilities in favour of Adani hazira Port Pvt. Ltd. in Hazira, Surat District, Gujarat.

The above stated proposal was placed before FAC on 03-05-2016. After thorough deliberation FAC observed that

- 1) State of Govt. of Gujarat vide their letter no. Forest (Conservation) Act, 1980-1015/10-10/15/S.F-71/F dated 19.11.2015 submitted a proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980 for **Diversion of 210.1594 ha of reserved forest land for development of port backup facilities in favour of Adani Hazira Port Pvt. Ltd. in Hazira, Surat District, Gujarat.**
- 2) The project is located in Surat Forest division of Surat district in Gujarat.
- 3) The land is declared forest under sec 4 and section 20 of IFA 1927. (46.6697 ha under sec 4 and 163.4897 ha under sec 20)
- 4) The project is in open forest cover with *Prosopis juliflora*.
- 5) Total numbers of trees to be felled are 56810 trees (494 trees above 60 cm girth).
- 6) Compensatory afforestation is to be carried out on non forest land of 278 ha. village konathiya, taluka abdas dist. Kachchh
- 7) Cost benefit ratio has been given as 1:1.63
- 8) The area do not forms part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc.
- 9) No any other rare/endangered/unique species of flora and fauna except vulture in this area are reported
- 10) No work in violation of the Act has been carried out



11) The requirement of forest land as proposed by the user agency is unavoidable and barest minimum for the project. The project is recommended by DFO, CCF, Nodal Officer and State government .

12) Site inspection Report

i. Legal Status of forest land proposed for diversion

Reserved Forest : 210.1594 ha

ii. How the land proposed for diversion is to be utilized?

Area wise break-up is as given below:

S.No.	Purpose	Area (in ha)
1	Open stockyard area and open hard stand including rail siding, open water channels like storm water, effluent water, garland canners, etc for coal iron ore, steel, Cement, Farm Yard manure, pipe etc.	44.96
2	Utility / Liquid Bulk pipelines.	17.01
3	Liquid Tank Farm.	0.97
4	Storage area for automobiles product.	12.18
5	Rail loading facilities & Siding, etc.	25.5564
6	Area for container storage facility & related ancillary facilities.	14.8999
7	Container Yard (Part).	5.2531
8	Container Freight Station, ICD's area, circulation area and other ancillary facilities.	43.12
9	Office, Amenities & Utility Building etc.	12.0460
10	Transport and utility corridors including roads, Gate Complex drains, Water pipeline, sea water intake channel, outlet, channels/pipelines, transmission lines, conveyors, telecom / data transmission lines, civic facilities, etc.	21.05
11	Green belt development etc.	13.1140

iii. Whether the proposal involves any construction of building (including residential) or not?

As per the proposal there is a provision for office, amenities & utility building etc. over an extent of 12.04 ha.

- iv. Total cost of Project at present: **Rs.1700 Crores**
- v. Whether the forest area proposed for diversion is important from wildlife point of view or not.

The forest land proposed for diversion is not important from wildlife point of view.

- vi. Aerial distance from the nearest Boundary of any protected area.

The project site is located outside 10 km from the nearest protected area.

- vii. Vegetation:

Only Prosopis juliflora is found in the area. This species is native to South America and is also found in Mexico and Caribbean countries. This is an invasive weed species in India. Once established it is almost difficult to eradicate it through biological means. Being invasive in nature, it does not allow any other species to grow underneath it.

a. Trees to be felled:

Total no. of trees proposed to be felled	:	56810
Total no. of trees felled up to 60 cm	:	56316
Total no. of trees felled above 60 cm	:	494

b. Effect of removal on the general ecosystem in the area :-

There will not be any significant adverse impact on the ecosystem due to removal of *Prosopis juliflora* trees growing on the proposed forest land for diversion. To overcome this impact, the State government has recommended that a 50M wide shelter belt plantation shall be raised on the sea side within the forest land proposed for diversion. This will mitigate the impact of the removal of green vegetation in the forest land. In addition to that wherever possible the user agency will raise and maintain greenery in the interspaces of the project premises. And all this is over and above the compensatory afforestation scheme over an extent of 278 ha of non –forest land provided by the user agency. Care will have to be taken that only local indigenous species shall be raised for the green shelter belt and other green areas in the interspaces of the project area. *Prosopis juliflora* may be eradicated and replaced with local species.



viii. Background of the proposal. A detailed note giving the background of the proposal covering aspects such as historical development, future growth potential and traffic projections etc is given by the user agency as part of the proposal.

ix. Compensatory Afforestation: The information furnished hereunder is based on the information provided by the State Government.

A	Whether land proposed /selected for compensatory afforestation is suitable from plantation and management point of view?	Yes
B	Whether land for compensatory afforestation is free from encroachment and other encumbrances?	Yes
C	Whether land for compensatory afforestation is important from religious or archiological point of view?	No
D	Land identified for raising compensatory afforestation is in how many patches? whether patches area compact or not?	Land identified for CA is in 01 (one) patch in Kutch, District-Bhuj (west) Forest Division 278.00 ha.
E	Maps with Details	Yes (enclosed with proposal)
F	Compensatory afforestation area should be clearly shown on the map, patches wise and their contiguity to the forest area, etc.	Yes, enclosed with proposal
G	Total financial outlay of 10 years CA programme.	Rs 47540251.80 (including 10 years plantation and other charges)

x. Whether proposal involves violation of Forest (Conservation) act. 1980? If yes a detailed report on violation including the action taken against the concerned officer :

No, There is no violation of Forest (Conservation) Act, 1980

xi. Whether proposal involves rehabilitation of displaced person ? If yes, whether rehabilitation plan has been approved by the State Government ?



Not applicable.

xii. Cost benefits ratio :

The User agency has mentioned that the cost benefit ratio is 1.63.

xiii. Utility of Project :

The forest land is required for port back up facilities. This will generate direct as well as indirect employment for the period of 10-15 years for setting up solid and liquid cargo port. Technical, commercial and managerial activities will require about 2000 workers as per the information provided in the proposal.

xvi. Number of Scheduled Cast/Scheduled Tribe involved in the project.

Not mentioned in the proposal.

xv. Compliance of FRA 2006- DC certificate:

Provision of the FRA have been complied with.

xvi. Whether the land being diverted has any social-cultural/ religious value?

No, the land proposed for diversion does not have any socio-cultural/ religious value.

xvii. Whether any scared groves or very old growing of trees of forests exist in the area proposed for diversion?

No.

xviii. Recommendation of Nodal Officer/PCCF and the State Government:

The Nodal Officer/PCCF and the State Government have recommended the proposal for approval.

xix. Any other information related to the project:

Using the software of Decision Support System it was found that even though the proposal is for 210.15 ha, the actual area was coming to more than 226 ha. When this matter was discussed with the DFO Surat and the representatives of the user agency



during the site visit, the mistake was realised by the user agency and in the co-ordinates has been set right and KML file for 210.15 ha was provided by the user agency to the DFO as well as to the APCCF. A copy of the same is enclosed for ready reference. The user agency has submitted another proposal for diversion of 90.85 ha of forest land adjoining to the proposal for 210.16 ha. Since both the proposals are by the same agency and for the same purpose and submitted within a period of a few months' time to MoEFCC, then why the proposals could not be merged into one proposal needs to be explained by the State Government. Two transmission lines belonging to ESSAR pass through this 90.85 ha area proposed for diversion. Forest land for these transmission lines has already been diverted under the provisions of FCA, 1980. It was informed by the DFO, Surat as well as the user agency that the area under these transmission lines has been excluded and is not part of the proposal. The user agency shall allow the right of way for the maintenance of these transmission lines as and when required.

13) Recommendations of the APCCF (C):

The proposal meets the basic requirements. Vegetation includes only one species that is *Prosopis juliflora* which is an exotic invasive species. 56810 trees are required be felled of which 494 are above 60 cm GBH. It was informed by the forest authorities during field visit that mangrove forests have been excluded from the area originally proposed for diversion. The site is more than 10kms away from the nearest protected area. There is hardly any wildlife seen in the area. No violation of the FCA, 1980 has been observed.

- 14) The project authority has agreed to defray the cost of Compensatory Afforestation for 10 years, NPV and clearance of vegetation.
- 15) The project area is outside scheduled tribal area.
- 16) The Environmental clearance has been accorded vide letter dated 3/05/07 and corrigendum dt 03.05.2013.
- 17) **It is observed that project authority has fulfilled the compliance under FRA, 2006. there are a two certificates under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 with respect to 146 ha. and 228.0747 ha.**



- 18) This proposal and another proposal from M/s Essar Bulk Terminal Ltd. had caused the overlapping. After various meetings at the level of Principal Chief Conservator of Forests, HoFF, Gujarat State, both the companies have agreed to modify their proposal to avoid overlapping. Joint statement from both the companies is enclosed herewith.
- 19) The user agency shall develop shelter Belt plantation with width of 50 meter towards sea side
- 20) The user agency shall pay the cost of plantation of 2,84,050 trees (i.e. five times the trees to be cut) at government waste land/ Institutional/ Government Department open land of Surat district to the Social Forestry Division, Surat District.
- 21) The additional conditions as prescribed under the Government of Gujarat's Resolution No. Forest (Conservation) Act, 1980 -1013/11-10/11/SF-24/F, dated 12.06.2015 under chapter 5 of forest (Conservation Act, 1980 shall be applicable to this proposal. The user agency shall be bound to comply with additional condition as per the aforementioned resolution. The project authority has submitted undertakings for the same.
- 22) The two proposals for the same user agency and same purpose have been submitted for consideration by this Ministry's letter dated 8-36/2015 dated 05/12/2015.
- 23) The State of Govt. of Gujarat vide their letter no. Forest (Conservation) Act, 1980/29-B/A/26-29/2016-17 dated 06.04.2016 submitted a justification of two proposals for diversion of 210.1594 ha of reserved forest land for development of port backup facilities in favour of Adani hazira Port Pvt. Ltd. in Hazira, Surat District, Gujarat. In this regard, it is informed that another proposal of the same user agency for diversion of 90.8605 ha of reserved forest land for the same propose in Hazira, Surat District, Gujarat has been received vide your letter no. FCA-1015/10-11/15/S.F-72/F dated 19.11.2015. Justification of the proposals given below:
- Adani-Hazira port Pvt Ltd, submitted proposal under FCA, 1980 to DCF Vyara, seeking forest land admeasuring 614.34 ha of Hazira and Suvali of taluka Choryasi, as below,
 - DCF Vyara vide letter dtd 06-01-2010 informed that are being more than what is available, and also has overlapping issues with other agencies, may be reconsidered and resubmitted. Accordingly, proposal was resubmitted.
 - 338.68 ha of forest land vide letter dtd 04-02-2010, for port back up facilities,



- 176.15 ha of forest land, vide letter dtd 28-06-2010 for central cargo Complex,
- 99.51 ha of forest land, vide letter dtd 07-10-2010 for port back up facilities
- Area demanded being more, proposals was returned and applicant were informed vide letter dtd 16-06-2010 to reconsider the area demanded and submit revised proposal.
- Revised proposal was submitted by Adani-Hazira port Pvt Ltd on 30-08-2011 for 244.93 ha, 110.42 ha and 21.29 ha.
- Due to re-organization of forest divisions and formation of new Surat division, in 01-10/2011, to have conformity with forest area availability in newly reorganized Surat division, DCF Surat, vide letter dtd 07-04-2012, requested the resubmission of proposal with new area availability consideration.
- The area demanded above, having overlapping issues with Essar Steel Pvt Ltd, in meeting held in APCCF land Gandhinagar, on 28-04-2012, revised proposals, with due modification, were requested.
- Accordingly, Adani-Hazira port Pvt Ltd submitted separate proposals for 110.42 ha & 21.29 ha on 18-06-2012 and 247.52 ha on 14-09-2012.
- The area demanded having good mangroves in 27.25 ha, agency was informed to exclude the same and accordingly, after excluding the mangroves area, the third proposal was revised to 210.15 ha and re-submitted on 02-11-2013 to DCF Surat.
- Under instructions from APCCF land, other two proposals were instructed to be consolidated into one proposal of 90.86 ha and the same was submitted to DCF Surat on 18-07-2014.

Thus, it is apparent that owing to the issues of forest area demanded, forest area availability, genuineness of forest area requirement, area overlapping issues, exclusion of mangrove areas, repeated revision and resubmission of proposals, separate proposals have been submitted. It is also submitted that Nodal Officer, FCA Gujarat has facilitated the consolidation of two proposals into one where it was possible. User agency has also clarified that their project is planned to be developed in different phases, hence they have submitted separate proposals.

24) The proposal along with justification was considered by FAC



Recommendation of FAC

After thorough deliberation FAC recommended the proposal for approval under section 2(ii) of Forest (Conservation) Act 1980 with general, standard and following specific conditions:

- A) User agency to prepare and submit a general plan for improving the coastal vegetation and enriching the mangrove vegetation in the area in consultation with the Mangrove Cell, prior to stage II approval This plan should be implemented by the user agency at its cost under supervision of the Forest Department.
- B) User agency has to raise 50 m wide shelter belt plantation on sea side with in forest land proposed for diversion .This will be over and above the compensatory afforestation scheme. Only local indigenous species shall be raised for the green shelter belt and areas in the interspaces of the project area.

FAC further recommended that proposal will be placed before competent authority only after following information is received from the state government

There are two certificates under Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 with respect to 146 ha. and 228.0747 ha which need clarification from the state.

Agenda No. 7

F. No. 8-45/2007-FC (Vol.)

Sub.: Proposal for diversion of the balance forest land of 11.006 hectares (Safety Zone – 9.778 ha and area for public purpose – 1.228 ha) excluding 177.517 ha of already diverted forest land out of total forest land of 188.523 ha within the applied mining lease area of 188.523 ha for Iron, Manganese and Bauxite Mining in village Kalmang, Jaldihi, Sidimba and Tantigram (KJST) under Koira Tehsil of Sundargarh District by Sri Prabodh Mohanty, Legal heir of Late S. N. Mohanty during the mining lease period to be granted / executed under amended provision of MMDR Act , 2015.



The above stated proposal was placed before FAC on 03-05-2016. After thorough deliberation FAC observed that

1. The State Government of Odisha, vide their letter No. 10F (Cons) 324/2015/18879/F & E Bhubaneswar dated 28.10.2015, has submitted a proposal to obtain prior approval of Central Government under the Forest (Conservation) Act, 1980 for diversion of the balance forest land of 11.006 hectares (Safety Zone – 9.778 ha and area for public purpose – 1.228 ha) excluding 177.517 ha of already diverted forest land out of total forest land of 188.523 ha within the applied mining lease area of 188.523 ha for Iron, Manganese and Bauxite Mining in village Kalmang, Jaldihi, Sidimba and Tantigram (KJST) under Koira Tehsil of Sundargarh District by Sri Prabodh Mohanty, Legal heir of Late S. N. Mohanty during the mining lease period to be granted / executed under amended provision of MMDR Act, 2015.

2. The project is in Bonai Forest Division of sundargarh district of Odisha

3. Legal Status of Forest land;

Revenue Forest land	0.682 ha.
PRF	5.165 ha.
<u>DLC</u>	<u>5.159 ha.</u>
Total	11.006ha

4. Density of Vegetation is 0.3 (Eco Value Class-I).

5. The proposed site for diversion is at a distance of about 0.5 Km from Sarkunda R. F. of Bonai Division.

6. No rare / endangered / unique species of flora and fauna is found in the applied area.

7. No protected archeological structure / heritage site / defence establishment of any other important monument is located in the applied area

8. The proposed area do not form a part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.

9. The applied balance forest land of 11.006 hectares (Safety Zone – 9.778 ha and area for public purpose – 1.228 ha) excluding 177.517 ha of already diverted forest land out of total forest land of 188.523 ha within the applied mining lease area of 188.523 ha for Iron, is unavoidable and barest minimum required for the project.

10. There is **no violation** of the Forest (Conservation) Act 1980 in the area proposed for diversion.



11. The total ML area of Kalamang, Jaldhi, Sidimba and Tantigram (KJST) Iron, Manganese & Bauxite Ore Mines of Sri S. N. Mohanty comes to 333.063 ha. Out of which 330.040 ha. is forest land.
12. The lessee has applied for renewal of Mining lease over 188.523 ha, out of original ML area over 333.063 ha. on 16.12.2005 and proposed to surrender balance area of 144.540 ha.
13. An Area of 177.517 ha. has already been approved under Compensatory Afforestation in respect of final approval granted earlier for diversion of 177.517 ha. of forest land vide MoEF letter No. 8-45/2007-FC (Pt.) dated 31.07.2009.
14. Now, the Lessee has submitted proposal for diversion of 11.006 ha of balance forest land (Safety Zone – 9.778 ha + Other area – 1.228 ha.). Safety Zone meant to be fenced, re-generated and maintained as such, and also, this Safety Zone area is not required to be diverted for mining or allied activity, but it requires diversion for grant of RML as provided in MoEF Guidelines.
15. CA in respect of the Safety Zone area applied for diversion is not insisted. Hence, the balance applied area of 1.228 ha. requires Compensatory Afforestation, for which the present Scheme has been prepared (11.006 ha. (-) Safety Zone – 9.778 ha.)
16. The CA Scheme has been prepared for raising CA over 1.228 ha. of Govt. Non-forest land in village Bhurung under Gurundia Tehsil of Sundargarh District.
17. The Scheme aims to compensate the loss of 1.228 Ha. of forest land proposed for diversion by Sri Prabodh Mohanty, Legal heir of Late S. N. Mohanty for mining project of Kalmang, Jaldihi, Sidimba and Tantigram (KJST) Iron, Manganese & Bauxite Ore Mines in Bonai Division.
18. The Govt. non-forest land has been jointly verified in the field by the Revenue & the Forest authorities. The Govt. non-forest land over 1.228 ha.
19. The land is found suitable for plantation and is free from encroachment and encumbrances.
20. The land identified for CA has not been in the DLC report.
21. The area so identified for the CA is having vegetation which consists of mainly Sal crop. The Compensatory Afforestation Scheme has been prepared by DFO, Bonai over 1.228 ha. of ANR Plantation with a total financial forecast of Rs. 11, 53, 303.83
22. The species selected to be planted under the scheme are Karanja (*Pongamia pinnata*), Neem (*Azadirachta indica*), Bamboo (*Dendrocalamus strictus*), Amla (*Emblica*



officinalis), Bahada (*Terminalia belerica*), Harida (*Terminalia chebula*), Bija (*Pterocarpus marsupium*) Khair (*Acacia catechu*) etc.

23. The proposal is recommended by DFO, Bonai Forest Division that the proposal for diversion of 11.006 ha. (Including Safety Zone 9.778 ha.) of forest land may be approved in favour of the Sri Prabodh Mohanty, Legal heir of Late S. N. Mohanty by imposing necessary conditions
24. The proposal is recommended by RCCF, PCCF and State government.
25. DFO has reported that there is no violation of forest laws/revenue laws been committed by the lessee during 1994-95 to 2006-07 and the lease was not in operation without clearance under FC Act 1980.
26. The Collector, Sundargarh, and Chairman D.L.C. has furnished detailed compliance required under the FRA circulars mentioned above the Collector has certified compliance regarding 188.523 ha of forest land as per FRA circular dated 3.8.2009 on dated 02.08.2014
27. A mining lease was granted over 333.063 ha (19.732 ha. of Khesra Forest + 311.109 ha. of Govt. non-forest + 2.222 ha. of tenanted land) for Iron & Manganese ore in favour of Sri S.N. Mohanty of Barbil, Dist. Keonjhar (now deceased) for period of 20 years and accordingly the lease deed was executed on 20.1.1987. Which was valid till 19.1.2007.
28. Later, another lease was granted for mining of bauxite ore in the above mentioned mining lease area for which supplementary lease deed was executed on 11.12.1989. The lease period of bauxite ore was to be co-terminus with the original lease deed executed earlier for iron and manganese ore .
29. After the demise of the original lessee i.e. Sri S.N. Mohanty, Govt of Odisha in the Dept. of Steel & mines accorded permission vide their Letter dated 11.3.1999 in favour of Sri Prabodh Mohanty, Legal heir of Late S.N. Mohanty to continue mining operation and to inherit the pending PL/ML applications of his deceased father.
30. The legal status of mining lease area over 333.063 ha. was as under at the time of grant/execution of original/supplementary lease deed.

PRF	140.166 Ha.
DLC	Nil
Revenue	19.733 Ha.

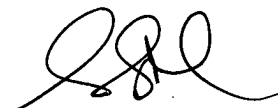


Forest	
Total Fores	159.899 Ha.
Non-Forest (Govt.)	170.944 Ha.
Non-forest- (Tenanted)	2.221 Ha.
Total	333.063 Ha

- i. After pronouncement of Order dt. 12.12.1996 by the Hon,ble Surpeme Court in W.P. No. 202 of 1995 (T.N. Godavarman Vrs. Union of India and Others) and finalization of DLC report by the State Government, the legal status of some of the non forest land included in the said mining lease are changed to forest land and therefore the composition of different kisam land included in the lease became as under.

Break-up of legal Status of ML area after 12.12.1996 (w.e.f. 6.1.1998).
PRF - 140.166 Ha.
DLC - 170.141 Ha.
Revenue Forest - 19.733 Ha.
Total Forest – 330.040 Ha.
Non-forest (govt.) – 0.802 Ha.
Non-forest (tenanted) – 2.221 ha.
Total – 333.063 Ha

- ii. In the meanwhile, the lessee applied for 1st renewal of mining lease over a reduced area of 188.523 ha only on 06.12.2005, which is entire forest land, out of original ML are over 333.063 ha. under Rule-24A(1) of MCR, 1960 which is a part of the originally granted/executed area and thereby surrendering of balance 144.540 ha of the originally granted ML area.
- iii. The final Mine Closure Plan (FMCP over the proposed surrendered are of 144.540 ha (non-mineralized zone) has been approved by IBM, Bhubaneswar vide their Letter No. FMCP/OTF.MECH/09-ORI/BHU/2010-11 Dt, 12.01.2011 and a certificate to this effect has been issued by IBM, Regional Controller of



- Mines, Bhubaneswar vide their letter No. T/FMCP/C/1/BHU-2011 dtd. 11.01.2012. Accordingly,
- iv. Director of Mines, Odisha vide has letter No. MIV (B) -125/05-1221/DM.dtd. 07.02.2013 Proposed for disposal of 1st RML application of the lessee by Government of Odisha in Steel and Mines department along with approval for taking over possession of the area over 144.540 ha surrendered by the lessee.
 - v. As such the 1st RML application of the lessee for 188.523 ha. is pending for disposal of State Government . In the meantime, the amended provision of MMDR Act, 2015 has come into force; accordingly, the State Government in Steel & Mines Department shall dispose the RML application of the lessee.
 - vi. During 1st RML period, a proposal for diversion of 75.859 ha. of forest land in this mining lease was forwarded of Government of India, MoEF vide letter No. 6928/F&E Dt. 5.5.2007 for consideration.
 - vii. In that proposal the applicant had proposed to retain 101.658 ha. Forest land within the original mining lease area for future exploration.
 - viii. While forwarding the diversion proposal of 75.3859ha. of forest land to Govt. of India, the State Govt. had imposed a condition on the applicant to submit a fresh forest diversion proposal for the said 101.658 ha. of forest land proposed to be retained for future exploration. Moreover, the Government of India, Ministry of Environment and Forests, while according Temporary Working Permission over 18.814 ha. of broken up forest land vide their letter No. F.No. 8-45/2007-FC dt 12.6.2008 at para-6 of the said letter had also asked the State Government to forward the complete diversion proposal for 188.523 ha.
 - ix. In compliance to the above instructions, the User Agency had applied for diversion of 101.658 ha. of forest land leaving 11.00 ha. of forest land for Safety zone and public use with a view to enhance the production of raw material so that this could meet the demand of Iron and manganese ore in their proposed 0.25 MTPA Steel Plan for which an MOU has been entered into with the State Govt. on 22.12.2006.
 - x. The said forest diversion proposal for 101.658 ha. of forest No. 12021 dt. 4.8.2008 for consideration under Section 2 of FC Act, 1980. The GOI, MeEF vide their letter F.No. 8-45/2007-FC(PT). dt. 6.11.2008 had accorded Stage-I approval for 177.517 ha. (101.658ha.+75.859 ha.) and thereafter also accorded



Stage –II approval for 177.517ha. of forest land vide their letter F.No. 8-45/2007-FC(Pt) dt. 31.7.2009 .

- xi. Thus an area of 11.006 ha. (188.523ha. – 177.517 ha). of forest land in the mining lease remains to be diverted. Land schedule of total ML area of 333.063 ha. originally granted.
- xii. As per provision of general approval order of MoEF&CC, GOI vide guidelines bearing F.No. 11-51/2015-FC Dt. 1.4.2015/1.5.2015, the validity of forest clearance granted vide letter F.No. 8.45/2007- FC(Pt). 31.7.2009 of MOEF for diversion of 177.517ha. shall stand extended up to a period co-terminus with the period of mining lease in accordance with the provision of MMDR Act, 1957, as amended subject to fulfillment of conditions prescribed in such general approval orders.
- xiii. Further as per provision of GoI, MEF&CC, guidelines bearing F.No. 11-599/2014-FC dt. 1.4.2015, general approval under Section 2(iii) of FC Act, 1980 is also available for the balance 11.00ha. of forest land for which the present forest diversion proposal has been processed, includes 9.77ha. of forest land earmarked to be maintained as safety zone and 1.228ha. of forest land left for public purpose (more specifically to be used as road by the villagers of Jaldihi). If the 11.006 ha. of undiverted forest land had existed within the safety zone entirely, the necessity of processing this instant forest diversion proposal, would not have been required as per clarification circulated by MOEF&CC, GoI Vide their guidelines bearing F.No. 11-599/2014-FC dt. 1.5.2015.
- xiv. However, since the undiverted forest land of 11.00ha. also includes 1.228 ha. of forest land to be used as road (non-forest purpose), the present diversion proposal has been processed for entire 11.006ha. which includes 9.778ha. in safety zone to be diverted under Section 2(iii) of FC Act, 1980 and 1.228ha. of forest land for road purpose to be diverted under Section 2(ii) of FC Act, 1980.
- i. The purpose-wise break-up of the total forest land of 11.006 ha. now applied for diversion is furnished below:

S. No.	Purpose of utilization	Forest Land	Total Forest	Govt	Tenanted	Granted
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		KF	PR	DL	st	Non-	land	Total
			F	C	Land	Fore		
						st		
						Land		
1	2	3	4	5	6	7	8	9
1	Safety Zone around the magazine	-	0.786	-	0.786	-	-	0.786
2	Safety Zone 7.5 mt along the boundary	0.682	2.852	2.878	6.412	-	-	6.412
3	Safety Zone of 10 mt along the public road	-	1.012	1.568	2.580	-	-	2.580
	Total of Safety Zone	0.682	4.650	4.446	9.778	-	-	9.778
4	Area used for public purpose(used as road by the villagers of Jaldihi)	-	0.515	0.713	1.228	-	-	1.228
	Grand Total	0.682	5.165	5.159	11.006	-	-	11.006
Broken and Virgin statement								
1	Broken – Pre-1980	-	-	-	-	-	-	-
2	Broken- post 1980	-	-	-	-	-	-	-
3	Virgin	0.682	5.165	5.159	11.006	-	-	11.006
	Total	0.682	5.165	5.159	11.006	-	-	11.006

			5	9	6			6
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iv. As indicated by PCCF, Odisha, the comparison between Sabik and Hal settlement status of the land in this mining lease does not arise as the Hal Settlement in Sundargarh district has taken place prior to 1980 i.e in the year 1975.

31. As reported by the DFO, Bonai in his site inspection report, 1234 no. of trees have been enumerated over 9.778 ha. of forest land earmarked to be maintained as safety zone, which are not to be felled. Further it has been reported that there is no forest growth over 1.228 ha which is required to be diverted for non-forest purpose of road. Detailed tree enumeration report over safety zone area and that over 1.228ha. of forest land for road purpose. Density of vegetation over the safety zone area is reported to be 0.3.

32. No compensatory afforestation is required for forest land to be diverted under safety zone. However, compensatory afforestation is required to be taken up against the diversion of 1.228 ha. required to be used as road by the villagers of Jaldihi. Accordingly, equivalent non-forest land over 1.228 ha. has been identified/allotted in village Bhurung (Tehsil Gurundia) under Tamra Range of Bonai Forest Division

Village	Khata No.	Plot No.	Kisam	Area	Remark
Bhurung	33 (AAA)	88/P	Pahad	3.034 Ac. Or 1.228 ha.	

33. The identified non-forest land is certified to be free from encroachment and encumbrance and non-encroachment and non-encumbrance certificate issued by the Tahasildar, Gurunida, has been furnished.

34. Safety Zone

i. An area of 9.778 ha (Revenue Forest land 0.682 ha + PRF 4.65 ha + DLC Forest land 4.446 ha) has been earmarked to be maintained as safety zone in this mining lease. In compliance to the conditions imposed in the previous diversion of 177.517 ha., the user agency. The user agency has deposited an amount of Rs.

11,74,300/- in favour of Ad-hoc CAMPA towards cost of maintenance of safety zone area. Further a scheme for afforestation on 1.5 times safety zone area i.e. over 14.667 ha of degraded forest land identified in Dharnaidhuarpali RF in Bonai Forest Division has been approved and an amount of Rs. 14,96,600/- towards approved cost of the said scheme has also been deposited in Ad-hoc CAMPA. As reported by PCCF, Odisha the above schemes are now under execution. 1st year plantation was taken up during 2010-11, and 3rd year maintenance has been completed during 2013-14.

35. In compliance to the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, the Collector, Sundargarh has issued the required certificate for 188.523ha. of forest land applied for renewal which also includes 11.006 ha of forest land proposed for diversion of forest land proposed for diversion for safety zone/public purpose now. The copy of the FRA certificate along with Gram Sabha resolutions for village Kalamong (dt. 9.7.2014 for 72.687 ha.), Jaldihi (dt. 9.7.2014 for 42.096ha.), Sidimba (dated 9.7.2014 for 37.714ha.) and Tantigram (dated 9.7.2014 for 36.026ha.) Odia language and their English translation are submitted.
36. PCCF, Odisha has recommended this proposal, All the prescribed proforma have been filled up and relevant maps/undertakings have been furnished.
37. The State Government has finally recommended the proposal subject to the following conditions:
- i. Forest area earmarked as safety zone in the ML area as well as for public purpose (road) shall be demarcated by posting of pillars of appropriate length, protected, fenced, afforested at project cost. In no circumstances, the area earmarked as safety zone /public purpose (road), shall be utilized for any other purpose.
 - ii. User Agency has to execute Phased Reclamation Plan at their cost.

Recommendation of FAC

FAC after thorough deliberation recommended the proposal for approval under section 2(ii) of Forest (Conservation) Act 1980 with general, standard and specific conditions pertaining to such projects .FAC further observed that the proposal will be placed

before competent authority only after following information is received from the state government

- 1) Compensatory Afforestation area is moderately dense forest .State government may change the CA area or additional CA land to match the number of trees in normal plantation per ha to be selected.
- 2) State government to submit revised CA scheme

Agenda No. 8

F. No. 8-118/2006-FC

Sub.: Proposal for seeking prior approval of the Central Government under Section – 2(iii) of the Forest (Conservation) Act, 1980 for grant of petroleum mining lease (PML) over 540.0668 Sq Km (54,0068 Sq KM) of forest land in favour of Chief Engineer, Oil India Limited, Duliajan in Ningru extension Block, Changlang District in the State of Arunachal Pradesh – regarding.

The FAC discussed the proposal, heard the representative of the user agency and noted as below;

1. Proposal of the State Government submitted vide their letter no. FOR.642/Cons/2015/1711-13 dated 18.12.2015 is exclusively for prior approval of the central government under Section – 2(iii) of the Forest (Conservation) Act, 1980 for issuance of Petroleum Mining Lease (PML) for the Ningru PML block without inviting any physical diversion of forest land in accordance with the CEC report dated 25.02.2014 and order dated 08.08.2014 of the Hon'ble Supreme Court of India and also in accordance with the MoEF&CC's Guidelines dated 24.06.2015.
2. The Ministry of Petroleum and Natural Gas, Government of India has re- granted lease under rule 5(I)(ii) of the Petroleum and Natural Gas rules, 1959 (as amended from time to time) to Oil India Limited over the Ningru Extension Block vide their order no. 0-12012/60/2003-ONG/D-IV dated 23.01.2004.
3. The State Government, based in the eco-class and density of forest worked out the 2% NPV to the tune of Rs. 94,24,84,642.



4. Legal status of the land proposed for assignment of the Petroleum Mining Lease is Reserve Forest under Nampong Forest Division (343.397 Sq Km or 34339.7 ha) and Namsai Forest Division(197.271 Sq Km or 19727.1 ha)
5. However, no physical diversion is involved; proposal is towards grant of Ningru Petroleum Mining Lease to OIL only.
6. Density of the vegetation is 0.7 in the scale of 0-1 as per detail below
 - a. Very dense Forests - 11,151.986 ha
 - b. Moderately Dense - 19,927.731 ha
 - c. Open Forests - 22,482.521 ha
 - d. Water Body - 504.563 ha
7. Enumeration of the trees is not done on the ground that the proposal is exclusively for grant of Petroleum Mining Lease (PML) for the Ningru PML block to Oil India Limited (OIL) without any involvement of physical diversion of forest land. After obtaining the PML, OIL will submit location-wise FC proposal(s) as & when required under the F(C) Act, 1980 for the forest land involved in its actual drilling & other activities requiring physical diversion of forest land.
8. The proposed area does not form part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. Also, as stated, it does not have any rare/endangered/unique species of flora and fauna.
9. No land for CA has been identified and no CA scheme has been submitted on the ground that no physical diversion of forest land is involved; the proposal is exclusively towards grant of Petroleum Mining Lease (PML) for the Ningru PML block to Oil India Limited only.
10. The Ningru Block, which covers 540.668 Sq Km of forest land in Arunachal Pradesh and a part of above province, have been identified to be potential areas for hydrocarbon resources and accordingly awarded to OIL by Govt. of India under nomination basis for its Hydrocarbon Exploration & Production (E&P) activities. As, such, the area cannot be changed.
11. No displacement of people is involved.
12. The State Government has recommended the proposal for approval of the Central Government without any specific condition.



13. The original proposal was submitted by the Government of Arunachal Pradesh vide their letter dated FOR 14-8/Cons/03/343-46 dated 22.09.2006 for diversion of 54066.80 ha of forest land. As per the site inspection report of this proposal submitted by the Regional Office, Shillong, vide its letter no. 8-85/2006/RONE-AP/256 dated 3.05.2007 Regional office had reported that the area is having fairly dense vegetation, however, some human settlements and cultivations by some tribal in certain area was also observed.
14. As per the site inspection report submitted by the Regional Office, Shillong, vide its letter no. 8-85/2006/RONE-AP/256 dated 3.05.2007 and reported that the area is having fairly dense vegetation, however, some human settlements and cultivations by some tribal in certain area was also observed.
15. The original proposal for diversion of the forest land was discussed in the meeting of the FAC held on 9th August, 2007. After examining the proposal the Committee advised the project proponent to consult the Principal Secretary (Forests) and the PCCF, as well as the Nodal Officer of the State Government and to bifurcate the proposal according to the requirement of forest land and to submit separate proposals, one for exploration and another for diversion of forest land for oil well drilling, infrastructure facilitates, etc. Recommendation of the Forest Advisory Committee was communicated to the State Government vides this Ministry's letter of even number dated 19.09.2007.
16. The State Government, vide their letter no. FOR 14-8/Cons/03/Part/8016-18 dated 24.12.2013, in compliance to above recommendations of the FAC, submitted
- a. Proposal No.1 in Form-'B' meant for seeking prior approval under Section-2 for renewal of leases which have been earlier granted clearance under Forest (Conservation) Act,1980.It is mentioned that 54023.09 ha .(out of total 54066.80 ha) under Ningru Mining Lease area is required for OIL exploration related activities in Mining Lease areas where no diversion of forest- land for non-forest purposes is immediately required.
 - b. Proposal No. 2 in Form-'A' meant for seeking prior approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 43.713 ha of forest land in



the Ningru Mining Lease area (i.e. 54066.80 ha) is submitted for drilling location "Loc-NMA".

17. In the meantime, the project proponent filed an IA in the Supreme Court praying for exemption of NPV. The Hon'ble Supreme Court, based on the recommendation of the CEC report, vide its order dated 8.8.2014 in I.A. No. 3627 in W.P. (C) No. 202/1995 directed as under:

"Learned counsel representing the applicant states that the conclusions drawn by the Central Empowered Committee (CEC) in its Report dated 25.02.2014 is acceptable to the applicant and that the applicant will make the payment in terms of the determination rendered in paragraph 9 of the Report within four weeks. In view of the statement made by the learned counsel for the applicant, I.A.No.3627 stands disposed of."

18. Subsequently the Oil India Limited intimated that as per the report of CEC dated 25.02.2014 and above-mentioned order of the Hon'ble Supreme Court, OIL is ready to pay the notional NPV amount at the rate of 2% of the estimated NPV of Rs 3700 crore for renewal/grant of the petroleum mining leases falling in reserved forests with fairly dense vegetation, as and when the demand for such payment is raised by the competent authority.

19. In light of directions contained in the Hon'ble Supreme Court order dated 8.08.2014 and on the request of the State Government the matter was taken up in the Ministry and after thorough consultation with the State Government and the user agency the MoEF&CC vide its letter dated 24.06.2015 has issued Guidelines streamlining the procedure for grant of approval under the Forest (Conservation) Act, 1980 for Petroleum Mining Leases under Petroleum and Natural Gas Rules 1959.

20. The proposal was considered by FAC on 31-12-2015. FAC after thorough deliberation recommended that

- a. Considering the violations observed by the FAC the state government may be asked to explain the reasons for the execution of the PML without obtaining prior permission of the central Government under Forest (Conservation) Act 1980. The state Government may also be asked to intimate the area under the



non forestry use since 2003 without obtaining the approval under Forest (Conservation) Act 1980.

- b. The regional office may carry out the inspection of the proposed area and submit the site inspection report clearly mentioning the area under non forestry use since 2003 without obtaining the approval under Forest (Conservation) Act 1980.
- c. The state government may also submit the detailed DGPS maps of the area under non forestry use of forest land as well as lease area

21. The above observations of FAC were forwarded to the State Government of Arunachal Pradesh vide this Ministry's letter of even number dated 19.01.2016 Now the State Government of Arunachal Pradesh vide their letter no. FOR.14-8/Cons/20063/Part /291-93 dated 10.03.2016 submitted the requisite information along with annexure is available at The point wise comments of the same is given as below:-

S. No.	Point raised by MoEF & CC	Reply submitted by State Govt.
1.	Considering the violations observed by the FAC the state government may be asked to explain the reasons for the execution of the PML without obtaining prior permission of the central Government under Forest (Conservation) Act 1980. The state Government may also be asked to intimate the area under the non forestry use since 2003 without obtaining the approval under Forest (Conservation) Act 1980.	In this regard the State Government informed that as per information provided by the M/s Oil India Limited, so far no Petroleum Mining Lease has been executed for the Ningru block covering 540.668 sq. km of forest land after the expiry of the earlier PML on 26.11.2003. Further the user agency had been operating in this block for Oil & Gas exploration since November, 1963 on the strength of Petroleum Exploration License and thereafter on the PML, which was granted w.e.f. 27.11.1983



		<p>for a period of 20 years. After the expiry of PML on 26.11.2003, these operations are in hold in this block as the renewal of PML could not be granted due to pending issues of payment of NPV and Forest clearance. Though the Ministry of Petroleum and Natural Gas, had conveyed its approval on 23.01.2004 for re-grant of PML for this block w.e.f. 27.11.2003 for 20 years but the State Government of Arunachal Pradesh has so far not executed the mining lease pending prior approval under the Forest (Conservation) Act, 1980.</p> <p>However, the PML granted in 1997 for a period w.e.f. 27.11.1983 to 26.11.2003 was opposed by the Department but without any positive outcome. In this connection, a copy of letters even no. dated 08.09.2004 and 04.10.2004 along-with the copy of noting of this file.</p> <p>The user agency also submitted that forest land for non-forestry use is at 27 locations covering 136.123 ha in the Ninguru Block, of which 59.59 ha was broken up prior to 1980. Of the remaining 76.533 ha of forest land, only 40.391 ha was used after</p>
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		obtaining the approval under the Forest (Conservation) Act, 1980.
2.	The regional office may carry out the inspection of the proposed area and submit the site inspection report clearly mentioning the area under non forestry use since 2003 without obtaining the approval under Forest (Conservation) Act 1980.	In this regard the Regional Office informed that the Site Inspection Report has been carried out by the CCF (C) Shillong and submitted to the MoEF & CC with annexures vide letter No. 8-118/2006-FC (Vol.)/3570-72 dated 28.03.2016
3.	The state government may also submit the detailed DGPS maps of the area under non forestry use of forest land as well as lease area.	In this regard the State Government informed that as far as submission of detailed DGPS maps of the are under non-forestry use of forest land is concerned, it is submitted that the DGPS maps are under preparation and will be submitted to MoEF & CC by the M/s. Oil India Limited, directly. However, the DGPS maps have not yet to be received.

22. The forest land proposed to be diverted has been inspected by Shri B.S. Kharmawphlang, Addl. Chief Conservator of Forests (Central), Regional office (North East Zone), Shillong. Additional information furnished in the inspection report submitted by the Regional Office (North East Zone), Shillong vide their letter dated 28.03.2016 are as below:-

The site inspection was carried out on 04.03.2016 accompanied by Shri.P.S. Narayana, GGM(FHQA), Shri R.K.Borah CET. NEF.Oil, Shri.J.Lahiri, CM,(Engg. & HSE), Shri C.Loma Divisional Forest Officer Nampong, and Shri.Kuldev Singh Rawat, Range Officer, Government of Arunachal Pradesh, Forest Department .The observations given below were as per records and documents available in the



Regional Office, Shillong, provided by State Government and Oil India Ltd and factual observations in the field.

Legal status of the forest land proposed for diversion.

The legal status as mentioned in the forwarding letter No.14-8/Cons/2003/1711-13 Dated 18.12.2015 is a Reserved Forest under Nampong Forest Division 343.97 sq.km and under Namsai Forest Division 197.271 sq.km.

In Part —II Sl.No.7 the proposed mining lease is in Manabhum R.F i.e. 10504.0 ha and Tengapani R.F 9223.13 ha i.e. 19727.13 ha or 197.271 sq.km under Namsai Forest Division.

In Part-II Sl.No.7 of the proposed mining lease is in Miao R.F 7306.80 ha Diyun R.F 14137.32 ha Namphuk R.F 5200.00 ha Namchik R.F 747.30 Honkap R.F 3669.50 ha Namgoi R.F 660.40 ha and Rima R.F 2618.35 ha Le.34339.67 ha or 343.397 sq.km.

Item wise break-up details of the forest land proposed for diversion.

This is a mining lease proposed over an area of 540.668sq.km, there is no breakup.

Whether proposal involves any construction of buildings (including residential) or not. If yes details thereof.

There is no break up of forest land by Oil India Limited but most of the forest land of 540.668 sq.km was seen to be occupied by the people. Tea gardens cultivated field and human settlements were seen inside the proposed forest area for the mining lease.

Total cost of the project at present rates.

Not Applicable at this stage.

Whether forest area proposed for diversion is important from wildlife point of view or not.

The Forest area may be habitat for some Wildlife spp as per the approved Working Plan of Nampong Forest Division in chapter (II)(B) the list of Wildlife spp is as per Annexure of Chapter II (B). However as mentioned in the proposal by the State



Government the area is not important from the Wildlife point of view. In the area of 540.668 sq.km and the part of the mining lease where tea garden and human settlement exist no wild life can be seen.

Vegetation:

The vegetation of Namchik Forest consist is a typical three storied forest in Hollong (*Dipterocarpus macrocarpus*) and Mikai (*Phoebe attenuate* and *Phoebe cooperiana*) mixed with Gonsorai,cinnamum, *Artocarpus chaplasha*, *Michelia champaca*, *Toona ciliata*,hoolock (*Terminalia myriocarpa*) etc. As this proposal is for mining lease no felling is involved at present.

Total number of trees to be felled.

No trees were enumerated as it is a Mining Lease, however it was observed during the site visit that a large number of trees were felled for the growing of tea garden and settlement by the local people inside the proposed forest land . The tea garden was seen to be maintained by the non local people.

Effect of removal of trees on the general eco-system in the area.

The trees were felled for the establishment of the tea garden and construction of labourer huts by the local people , this has made the large forest area denude of any trees species, the shrubs and the ground cover was completely destroyed. The cultivation of tea requires a huge quantities of pesticides, fungicides which is directly affecting the soil and other micro organism present in the reserved forest. Therefore even when there is no felling of tress in the present proposal for the mining lease but the establishment of tea garden and encroachment has effect the forest eco-system in general.

Background note on the proposal.

Ningru PML Block (540.668 sq.km) in Lohit & Changlang Districts falling under Namsai & Nampong Reserve Forests (RFs) Divisions of Arunachal Pradesh, since 26th November,1963,Oil is operating in the Ningru block allotted as PEL area.



The Director (Geology & Mining) vide his letters DGM/PML-Ningru /45/96-94 dated 05.05.1997(copy enclosed as Annexure-2) and DGM/ML/OIL/77/96(Pt-10)/44 dated 13.05.1997(copy enclosed as Annexure-3) intimated OIL for execution of the PML deed and advised to deposit the balance amount for executing the deed. Then the Chief Secretary ,Government of Arunachal Pradesh issued Office order in this regard vide DGM/ML/OIL/77/96(Pt-I) dated 13.05.1997(copy enclosed as Annexure-4) and 19.08.1997 Copy enclosed as Annexure-5) for executing PML Deed for OILS Ningru Block & Kharsang JV Blocks. Accordingly the Secretary(Geology & Mining) authorized DC Changlang to sign the deed vide his letter DGM/ML/OIL/77/96(PT-I) dated 19.08.1997 (Copy enclosed as Annexure-6) and issued Office order in this regard vide DGM/MIJOIL/77/96(PT-I)/179- 84 dated 25.08.1997 (Copy enclosed as Annexure-7) and thus the deed was signed on 12.09.1997(Copy enclosed as Annexure-8).

The Ningru PEL area was subsequently converted to PML area for 20 years wef 27th November,1983 vide MoPNG's letter dated 28th November,1984(Copy enclosed as Annexure-9). After expiry of the PML of the Block on 26th November ,2003,all new above surface E & P activities of OIL are kept in abeyance.

Since after expiry of the PML in November, 2003. Oil has not undertaken any new above surface E & P activities in the Block, except keeping the Producing well under operation. The production has been continues, as closure of production from any producing field can lead to irreversible damage to the reservoir and it may be difficult to restore the fields to their earlier level of production. In this context Secretary MoPNG's letter dated 20.12.1996(copy enclosed as Annexure10) to the Chief Secretary, Government of Arunachal Pradesh and Secretary, MoEF & CC followed with Joint Secretary, MOPNG's letter Dated 23.12.1996(copy enclosed as Annexure-11-A-B) to the Secretary ,MoEF & CC also clarifies the same, which is the only reason for which Oil has been compelled to keep the flowing Well(s) under production.

The details of the Oil Wells in the Ningru PML block along with the GPS Co-ordinates of Oil India Limited are enclosed as Annexure -12 and Annexure -13. The statement of the total land use by the Oil India Limited and the number of Oil Wells enclosed as Annexure -14.



The exploration drilling of Nine Wells are on hold for which FC has been obtained under Section ii) of FC Act 1980 during the period from 1990 to 1992 for drilling at Locations: KUAG -3.725 ha, KUAJ -4.061 ha, KUZ -4.378 ha, KUX-1.55 ha, KUR-3.628 ha, KUAC -3.581 ha, KUAE-3.956 ha, KUP-3.922 ha, KUL-3.189 ha mentioned in sl.no.16-25 of Annexure -15.

The Supreme Court of India's Judgement on NPV for Petroleum Mining Leases under Provision of FC Act 1980: For getting relaxation on NPV payment for both the blocks, under purview of FC Act - 1980, 011 Field an Interlocutory Application (IA-3627) before the Hon'ble Supreme Court of India on 26.04.2013 as the Oil & Gas exploration activities carried out in Petroleum Mining Lease areas grossly differs from the coal and other Mining activities carried out under Purview of Mines and Minerals (Development & Regulation) Act, 1957 (MMDR Act 1957). On the basis of OIL's prayer, the APEX Court passed its Judgement on 08.08.2014 for payment of NPV 2% only for the PMLs granted under provision of Petroleum and Natural Gas Rules, 1959 as it grossly differs from the other Mining Leases granted under MMDR Act -1957 and FC Act 1980 speaks about grant of Mining Leases under MMDR Act 1957 only.

Accordingly Oil India Limited deposited Rs.74 Crores as NPV on 11.09.2015 for both the blocks (Ningru and Ningru Extension) for a total area of 615.668 sq.km on the basis of Supreme Court's order dated 08.08.2014 and report of Central Empowered Committee(CEC) dated 25.02.2014.

(Reference Documents supply by Oil India Limited).

Compensatory Afforestation:

Compensatory Afforestation is not applicable at this juncture however it will be essentially required when the existing tea garden is cleared of the tea bushes to afforest the denuded forest area. The tea garden which is a non-forestry activity was raised by the local people inside Reserved Forest. The State Government did not take any action to prevent such large scale tea cultivation. In the Reserved Forest where the people had settled and Government of Arunachal Pradesh had established and set up infrastructure for Government Departments immediate action is to be taken up by the State Government before the mining lease is to be consider by the Ministry.



Whether proposal involves violation of Forest (Conservation) Act, 1980 or not.If yes, a detailed report on violation including action taken against the concerned officials.

The activities carried out by Oil India Limited in the Ningru PML 540.668 sq.km is as per the Annexure-15. The well No.KMC-13 at location KUAK sl.no.13 of Annexure-12 involves an area 2.272 ha at Sl.no.4 of Annexure-14.

No Lease Agreement was executed for the 540.668 sq.km by Oil India with the State Government after 2003. The only lease agreement executed by the Oil India Limited was dated 12.12.1997 which was affective from 27.11.1983 for the term of 20 years enclosed as Annexure-2.

Whether proposal involves rehabilitation of displaced persons.If yes, whether rehabilitation plan has been prepared by the State Government or not.

No, as this is a Reserved Forest in 540.668 sq.km. Encroachers are to be evicted out of the Reserved Forest as per Acts & Rules.

Reclamation plan:

Details and financial allocation.

Details on catchment and command area under the project. Catchment area treatment plan to prevent siltation of reservoir.

The State Government will have to submit a detailed scheme for such reclamation in the forest area illegally occupied by the encroachers.

Cost benefit ratio.

Not Applicable at this stage on the proposal for mining lease.

Recommendations of the Principal Chief Conservator of Forests/State Government.

As per the Part V of Proposal dated 23.11.2015.



Recommendations of Regional Chief Conservator of Forests (Additional Principal Chief Conservator of Forests) along with detailed reasons.

The recommendation of the Additional Principal Chief Conservator of Forests will be his forwarding letter to the Ministry.

Regional Chief Conservator of Forests shall give detailed comments on whether there are any alternatives routes/alignment for locating the project on the non-forest land.

This is a site specific proposal for oil drilling which had existed since 1967 by the Oil India Limited.

Numbers of Scheduled Caste/Scheduled Tribe to be benefited by the project.

The State Government of Arunachal Pradesh has not mentioned any existing Forest Village in the Reserved Forest area of the 540.668 sq km, therefore there is no Scheduled caste/Scheduled Tribe to be benefited by the project. However, also the State Government did not mentioned such benefits for the Scheduled caste/Scheduled Tribe. But the Project will benefit the tribals of the Changlang District.

Whether land being diverted has any socio-cultural/religious value.

Whether any sacred grove or very old growth trees/forests exists in the areas proposed for diversion.

No

Whether the land under diversion forms part of any unique eco-system.

No

Situation w.r.t. any P.A.

Tengapani Reserved Forest and Manabhum Reserved Forest is his proposal is 13 km approximately away from the Namdapha National Park(Tiger Project). The Miao R.F Diyun R.F , Namphuk R.F, Namchik R.F, Honkap R.F, Namgoi R.F, and Rima R.F, are 8-14 Kms away from Namdapha National Park.



Any other information relating to the project.

The observations in the field and from the documents made available by the Environment & Forest Department Government of Arunachal Pradesh are mentioned below:

The Divisional Forest Officer, Namsai Forest Division in Part -II at (Annexure-16) at SLNo.7.(iv) has clearly stated the proposed area is 19727.13 ha out of which (a)9223.13 ha in Tengapani Reserved Forest and (b) 10504.0 ha in Manabhum Reserved Forest, without mentioning the compartment numbers. The compartment number in these proposed Reserved Forest has also not been mentioned nor depicted in the map of SOI Topo Sheet.

The Divisional Forest Officer, Nampong Forest Division, in Part-II at (Annexure-I 7) at

SL No.7(iv) has clearly stated the proposed area is 34339.67 ha out of which(a) 7306.80 ha in Miao Reserved Forest(b) 14137.32 ha in Diyun Reserved Forest (c) 5200.00 ha in Namphuk Reserved Forest(d)747.30 ha in Namchik Reserved Forest (e)3669.50 ha in Honkap Reserved Forest (f) 660.40 ha in Namgoi Reserved Forest and (g)2618.35 ha in Rima Reserved Forest in all these proposed Reserved Forest the compartment numbers were not mentioned.. The compartment number in these proposed Reserved Forest has also not been mentioned nor depicted in the map of SOI Topo Sheet.

The Total proposed forest area for the mining lease is 54066.80 ha 540.668 sq km.

The Divisional Forest Officer, Nampong Forest Division has clearly demarcated the type of forest in the proposed Mining Lease of 540.668 sq km and authenticated at in the following category;(a) Very Dense: 11151.986ha(b)Dense Forest :19927.731 ha (c)Open Forest:I 1778.619 ha(d)Non —Forest Area:10703.902 ha and (e)Water Body :504.563 ha i.e. 54066.80ha or 540.668 sq.km.

From the above,(54066.80 -10703.902) ha= 43362.898 ha or 433.6298 sq. km. is a forest area.



In view of (iv) above, the forest area and the non forest area required to be recheck again by the Forest Department

During the Site Inspection of the 540.668 sq km it was observed that a large area has been occupied by the people for settlement and cultivation. To ensure that the Mining Lease of 540.668 sq.km of forest land is free from encroachment and occupation by various Department of Government of Arunachal Pradesh and other people a detailed survey is to be carried out under the supervision of an Officer not below the Chief Conservator of Forests , Government of Arunachal Pradesh.

In the proposal for mining lease for 540.668 sq.km only the names Manabhun R.F, Miao R.F, Namphuk R.F, Namchik R.F are mentioned in the SOI Toposheet submitted along with the proposal. The other R.F namely Tengapani, Diyun, Honkap, Namgoi and Rima were not mentioned in the SOI Toposheet showing the 540.668 sq.km proposed mining lease. No compartment numbers were either depicted in this map with G.P.S-Cordinate authenticated by the Divisional Forest Officer.

This clearly reflected that proper site identification by the field officers as per the Approved Working Plan of Namsai and Nampong has not been carried out. Therefore the entire exercise of survey, demarcation and to determine the forest land illegally occupied by the people and State Government area and forest area is to be carried out again.

In case the forest area under the mining lease is illegally occupied by the people and various Department Government of Arunachal Pradesh immediate action is to be taken or the NPV is to be paid by the Government of Arunachal Pradesh.

The activities of Oil India is confine to Kumchai Oil Field enclosed as Annexure-19.

After the State Government takes immediate action for the illegal encroachment in Reserved Forest by the local people and Ministry may consider the mining lease

The photographs taken during the site visit are enclosed as Annexure

23. Recommendation of FAC

FAC after thorough deliberation recommended that



- 1) **The state government shall provide the details of approval under FC Act 1980, if any obtained for execution of lease deed in year 1997 for a period of 20 years with effect from 1983 to 2003. It may also be clarified if any well was operating in the area after expiry of lease in 2003.**
- 2) **The State Government shall also provide its comments on the observations contained in the Site Inspection Report of the Regional Office of the MOEF & CC**

Agenda No. 9

F. No. 8-118-2006 (Vol.I)

Sub: Proposal for seeking prior approval of the Central Government under Section – 2(iii) of the Forest (Conservation) Act, 1980 for grant of petroleum mining lease (PML) over 75.0 sq Km (7,500 ha) of forest land in favour of Chief Engineer, Oil India Limited, Duliajan in Ningru extension Block, Changlang District in the State of Arunachal Pradesh – regarding

The FAC discussed the proposal, heard the representative of the user agency and noted as below

1. Proposal of the State Government submitted vide their letter no. FOR.642/Cons/2015/1704-06 dated 18.12.2015 is exclusively for prior approval of the central government under Section – 2(iii) of the Forest (Conservation) Act, 1980 for issuance of Petroleum Mining Lease (PML) for the Ningru Extension PML block without inviting any physical diversion of forest land in accordance with the CEC report dated 25.02.2014 and order dated 8.08.2014 of the Hon'ble Supreme Court of India and also in accordance with the MoEF&CC's Guidelines dated 24.06.2015.
2. The Ministry of Petroleum and Natural Gas, Government of India has re- granted lease under rule 5(I)(ii) of the Petroleum and Natural Gas rules, 1959 (as amended from time to time) to Oil India Limited over the Ningru Extension Block vide their order no. 0-12012/60/2003-ONG/D-IV dated 23.01.2004
3. The State Government, based in the eco-class and density of forest worked out the 2% NPV to the tune of Rs. 11,11,46,134.



4. Legal status of the land proposed for assignment of the Petroleum Mining Lease is Reserve Forest under Nampong Forest Division (75.0 sq Km or 7,500 ha)
5. However, no physical diversion is involved; proposal is for assignment of forest land by way of Petroleum Mining Lease to OIL only.
6. Density of the vegetation is 0.7 in the scale of 0-1 as per detail below
 - a. Very Dense Forests - 44.967 ha
 - b. Moderately Dense - 326.469 ha
 - c. Open Forests - 7,125.385 ha
 - d. Water Body - 3.179 ha
7. Enumeration of the trees is not done on the ground that the proposal is exclusively for grant of Petroleum Mining Lease (PML) for the Ningru Extn. PML block to Oil India Limited (OIL) without any involvement of physical diversion of forest land. After obtaining the PML, OIL will submit location-wise FC proposal(s) as & when required under the F(C) Act, 1980 for the forest land involved in its actual drilling & other activities requiring physical diversion of forest land.
8. The proposed area does not form part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. Also, as stated, it does not have any rare/endangered/unique species of flora and fauna.
9. No land for CA has been identified and no CA scheme has been submitted on the ground that no physical diversion of forest land is involved; the proposal is exclusively towards grant of Petroleum Mining Lease (PML) for the Ningru Extn. PML block to Oil India Limited only.
10. The Ningru Extn. Block, which covers 75.00 Sq Km of forest land in Arunachal Pradesh and a part of above province, have been identified to be potential areas for hydrocarbon resources and accordingly awarded to OIL by Govt. of India under nomination basis for its Hydrocarbon Exploration & Production (E&P) activities. As, such, the area cannot be changed.
11. No displacement of people is involved.
12. Compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has not been submitted on the ground that the proposal do not involve physical diversion of forest land.
13. The State Government has recommended the proposal for approval of the Central Government without any specific condition.



14. The original proposal was submitted by the Government of Arunachal Pradesh vide their letter dated FOR 14-8/Cons/03/343-46 dated 22.09.2006 for 7500.00 ha of forest land. As per the site inspection report of this proposal submitted by the Regional Office, Shillong, vide its letter no. no. 8-85/2006/RONE-AP/256 dated 3.05.2007 Regional office had reported that the area is having fairly dense vegetation, however, some human settlements and cultivations by some tribal in certain area was also observed.
15. The original proposal for diversion of the forest land I was discussed in the meeting of the FAC held on 9th August, 2007. After examining the proposal the Committee advised the project proponent to consult the Principal Secretary (Forests) and the PCCF, as well as the Nodal Officer of the State Government and to bifurcate the proposal according to the requirement of forest land and to submit separate proposals, one for exploration and another for diversion of forest land for oil well drilling, infrastructure facilitates, etc. Recommendation of the Forest Advisory Committee was communicated to the State Government vides this Ministry's letter of even number dated 19.09.2007.
- 15 The State Government, vide their letter no. FOR 14-8/Cons/03/Part/8016-18 dated 24.12.2013, in compliance to above recommendations of the FAC, submitted
- a. Proposal No. 1 in Form-'B' meant for seeking prior approval under Section-2 for renewal of leases which have been earlier granted clearance under Forest (Conservation) Act, 1980. It is mentioned that 54023.09 ha (out of total 54066.80 ha) under Ningru Mining Lease area is required for OIL exploration related activities in Mining Lease areas where no diversion of forest- land for non-forest purposes is immediately required.
 - b. Proposal No. 2 in Form-'A' meant for seeking prior approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 43.713 ha of forest land in the Ningru Mining Lease area (i.e. 54066.80 ha) is submitted for drilling location "Loc-NMA
- 16 In the meantime, the project proponent filed an IA in the Supreme Court praying for exemption of NPV. The Hon'ble Supreme Court, based on the recommendation of the CEC report, vide its order dated 8.8.2014 in I.A. No. 3627 in W.P. (C) No. 202/1995 directed as under:

"Learned counsel representing the applicant states that the conclusions drawn by the Central Empowered Committee (CEC) in its Report dated 25.02.2014 is acceptable to



the applicant and that the applicant will make the payment in terms of the determination rendered in paragraph 9 of the Report within four weeks. In view of the statement made by the learned counsel for the applicant, I.A.No.3627 stands disposed of."

- 17 Subsequently the Oil India Limited intimated that as per the report of CEC dated 25.02.2014 and above-mentioned order of the Hon'ble Supreme Court, OIL is ready to pay the notional NPV amount at the rate of 2% of the estimated NPV of Rs 3700 crore for renewal/grant of the petroleum mining leases falling in reserved forests with fairly dense vegetation, as and when the demand for such payment is raised by the competent authority.
- 18 In light of directions contained in the Hon'ble Supreme Court order dated 8.08.2014 and on the request of the State Government the matter was taken up in the Ministry and after thorough consultation with the State Government and the user agency the MoEF&CC vide its letter dated 24.06.2015 has issued Guidelines streamlining the procedure for grant of approval under the Forest (Conservation) Act, 1980 for Petroleum Mining Leases under Petroleum and Natural Gas Rules 1959.
- 19 The proposal was considered in FAC on 31.12.2016 after thorough deliberation recommended that
 - a. The state Government may be requested to intimate whether PML has already been executed for this area and whether any activity has been taken up in the area.
 - (b) The regional office may carry out the inspection of the proposed area and submit the site inspection report clearly indicating whether any activity has been taken up by the user agency in the proposed area.
 - (c) The state government may also submit the detailed DGPS maps of the area under non forestry use of forest land as well as the lease area.
- 20 The above observations were forwarded to the State Government of Arunachal Pradesh vide this Ministry's letter of even number dated 19.01.2016 Now the State Government of Arunachal Pradesh vide their letter no. FOR.642/Cons/2015/288-90 dated 10.03.2016 submitted the requisite information along with annexure is available
- 21 The point wise comments of the same is given as below:-



S. No.	Point raised by MoEF & CC	Reply submitted by State Govt.
1.	The state Government may be requested to intimate whether PML has already been executed for this area and whether any activity has been taken up in the area.	<p>In this regard the State Government informed that as per information provided by the M/s Oil India Limited, so far no Petroleum Mining Lease has been executed for the Ningru Extension PML block. Though the Ministry of Petroleum and Natural Gas had conveyed its approval for grant of PML w.e.f. 04.06.2003 for 20 years but the State Government of Arunachal Pradesh has so far not executed the mining lease pending prior approval under the Forest (Conservation) Act, 1980.</p> <p>Further, reported by the user agency that 3 wells, namely PBA, PBA -1, & PBB, drilled in the Ningru Extension. Block after obtaining the approval under the Forest (Conservation) Act, 1980. However, no records to this affect are available in this Office.</p>
2.	The regional office may carry out the inspection of the proposed area and submit the site inspection report clearly indicating whether any activity has been taken up by the user agency in the proposed area.	In this regard the Regional Office informed that the Site Inspection Report has been carried out by the CCF (C) Shillong and submitted to the MoEF & CC with annexures vide letter No. 8-118/2006-FC



		(Vol.)/3573-75 dated 28.03.2016 Examination of the Site Inspection report submitted by the Regional Office, Shillong revealed that the Site Inspection Report submitted by the RO Shillong unsigned copy.
3.	The state government may also submit the detailed DGPS maps of the area under non forestry use of forest land as well as the lease area.	In this regard the State Government informed that as far as submission of detailed DGPS maps of the are under non-forestry use of forest land is concerned, it is submitted that the DGPS maps are under preparation and will be submitted to MoEF & CC by the M/s. Oil India Limited, directly. However, the DGPS maps havs not yet to be received.

22. The forest land under consideration has been inspected by Shri B.S. Kharmawphlang, Addl. Chief Conservator of Forests (Central), Regional office (North East Zone), Shillong. Additional information furnished in the inspection report submitted by the Regional Office (North East Zone), Shillong vide their letter dated 28.03.2016 are as below:-

The Site Inspection was carried out on 04.03.2016 accompanied by Shri P.S. Narayana, GGM (FHQA), Shri R. K. Borah CET. NEF. Oil, Shri J. Lahiri, CM, (Engg. & HSE), Shri C. Loma Divisional Forest Officer, Nampong, and Kumari. Api Talon Range Officer, Government of Arunachal Pradesh, Forest Department. The observations given below were as per records and documents available in the Regional Office, Shillong, provided by the State Government and Oil India Limited and factual observations in the field.

Legal status of the forest land proposed for diversion.

The legal status as mentioned in the forwarding letter No.FOR.642/Cons/2015/ dated 18.12.2015 is 7500 ha or 75.0 sq.km Reserved Forest .In Part —II Sl.No.7 (iv) the area



of the forest land proposed is 75.00 ha in Koriapani R.F. The DFO, Namsai had carried out the site inspection for 75.00 ha in Koriapani on 21.08.2015. The Chief Conservator of Forests, Southern Arunachal Circle had also carried out the site inspection for 75.00 ha on 14.10.2015. There is a difference of 7425 ha of forest land which has not been inspected by the DFO and the CCF. As per the SOI Toposheet 83 M/14 & 83 M/15 submitted in the proposal only the Koriapani R.F was depicted. The rest of the area inside the proposed 75 sq kms Mining lease was not shown as a Reserved Forest in the map authenticated by the Divisional Forest Officer, Nampong Forest Division r. (Annexure-2). The observation in the field duly signed by the DFO Nampong Oil India representative and CCF Central, MoEF & CC,R.O, Shillong.

Therefore the area of the reserved forest as mentioned in the letter No FOR.642/Cons/2015/ Dated 18.12.2015 addressed to the Ministry is not at all factual.

Item wise break-up details of the forest land proposed for diversion.

This is a mining lease proposed over an area of 75 sq.km, there is no breakup.

Whether proposal involves any construction of buildings (including residential) or not. If yes details thereof

There is no break up of forest land by Oil India Limited but most of the forest land of 7500 ha was seen to be occupied by the people. Tea gardens cultivated field and human settlements were seen inside the proposed forest area for the mining lease.

Total cost of the project at present rates.

Not Applicable at this stage.

Whether forest area proposed for diversion is important from wildlife point of view or not.

The Forest area may be habitat for some Wildlife spp as per the approved Working Plan of Nampong Forest Division in chapter (II)(B) the list of Wildlife spp is as per Annexure of Chapter II (B). However as mentioned in the proposal by the State Government the area is not important from the Wildlife point of view. In the area of 75 Sq



Km and the part of the mining lease where tea garden and human settlement exist no wild life can be seen.

Vegetation

The vegetation of Namchik Forest consist is a typical three storied forest in Hollong (*Dipterocarpus macrocarpus*) and Mikai (*Phoebe attenuate* and *Phoebe cooperiana*) mixed with Gonsorai, cinnamum, *Artocarpus chaplasha*, *Michelia champaca*, *Toona ciliata*, hoolock (*Terminalia myriocarpa*) etc. As this proposal is for mining lease no felling is involved at present.

Total number of trees to be felled.

No trees were enumerated as it is a Mining Lease, however it was observed during the site visit that a large number of trees were felled for the growing of tea garden and settlement by the local people inside the proposed forest land . The tea garden were seen to be maintained by the non local people.

Effect of removal of trees on the general eco-system in the area.

The trees were felled for the establishment of the tea garden and construction of labourer huts by the local people , this has made the large forest area denude of any trees species, the shrubs and the ground cover was completely destroyed. The cultivation of tea requires a huge quantities of pesticides, fungicides which is directly affecting the soil and other micro organism present in the reserved forest Therefore even when there is no felling of tress in the present proposal for the mining lease but the establishment of tea garden and encroachment has effect the forest eco-system in general.

Background note on the proposal.

OIL INDIA LIMITED (OIL), ⁿ Public Sector Undertaking (PSU) of Govt, of India, engaged in exploration, production & transportation of hydrocarbon is operating in Ningru Petroleum Mining Lease (Ningru PAIL, and Ningru Extension Petroleum Mining Lease (Ningru Extn. PML) areas covering 615.668 sq km area in Arunachal Pradesh since Nov'1963 & Sept 1984 respectively. Out of total 615.668 sq km, while



Ningru PML of 540.668 sq km covers 197.271 sq km in Lohit District and 343.397 sq km in Changlang District of Arunachal Pradesh, the balance 75 sq km (615.668 - 540.668) under Ningru Extension PML falls in Changlang District of Arunachal Pradesh(AP).

OIL applied for conversion of the erstwhile Ningru Extn. Petroleum Exploration License (PEL) block into a Petroleum Mining Lease (PML) during June'2003. Though Ministry of Petroleum & Natural Gas (MoP&NG), Govt, of India accorded its approval on the conversion (grant of the PML), the Formal Approval by State Government on the PML has been kept on hold by Govt, of Arunachal Pradesh (AP) pending prior approval under Forest (Conservation) Act, 1980.

Accordingly, the subject Forest Clearance proposal submitted is exclusively towards formal issuance of grant of Ningru Extn. Petroleum Mining Lease by Govt, of Arunachal Pradesh without calling for any physical diversion of forest land in line with Hon Tale Supreme Court's order passed on 08.08.2014 on the basis of Report of Central Empowered Committee (CEC) dated 25.02.2014. For actual physical diversion of forest land for OIL's drilling & other activities within the PML areas, OIL will apply separate Forest Clearance proposal(s) as & when required as per prevailing norms under F(C) Act, 1980 on the standard conditions of CA, NPV, FRA, etc. as per above Hon'ble Supreme Court's order.

Geologically, Arunachal Pradesh is a part of Upper Assam Geological Province and amongst the 76 priority providences identified by US Geological Survey World Energy Assessment Team (2000). The search for hydrocarbon by OIL in Arunachal Pradesh goes back to 1963 when Govt, of India initially granted Petroleum Exploration License (PEL) to OIL covering Kharsang- Shonking, Kherem- Kumchai & Manabum area in Lohit & Changlang districts of Arunachal Pradesh.

Over the years till 2003-2004,OIL Carried out various geophysical survey, surface mapping including drilling of number of wells in the area. However, already discovered Kherem field in Ningru Extension field. PML is yet to be developed fully. Oil now plans to drill number of development as well as exploratory wells in the area apart from carrying out various surveys for in-depth appraisal of hydrocarbon reserve in the block. Subsequently, based on the prospects & quantum of



commercial hydrocarbon production ,Oil will be setting up various installations, infrastructure facilities etc. in the PML area as per the requirement.

In view of the above, in absence of Mining Lease, OIL planned exploration and development activities in the Ningru Extension.PML area have remained stalled since more than a decade.

Compensatory Afforestation:

Compensatory Afforestation is not applicable at this juncture however it will be essentially required when the existing tea garden is cleared of the tea bushes to afforest the denuded forest area. The tea garden which is a non-forestry activity was raised by the local people inside Namchik Reserved Forest. The State Government did not take any action to prevent such large scale tea cultivation.

Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. If yes, a detailed report on violation including action taken against the concerned officials.

No activities has been carried out by the Oil India Limited in the 75 sq.km, the Oil India representative has also provided a statement that no activities has been carried out in the proposed mining lease area. Therefore there is no violation of FC Act,1980 on the part of the Oil India Limited. However, there is a violation of FC Act 1980 by way of illegal encroachment in the area of 74.25 sq.km.The State Government as it appear in the field did not take any action.

Yes, this proposal involves the violation of Forest (Conservation) Act, 1980 as stated in the Ministry's letter No. 8-12-82/2003/RONE-AP(Vol-2) Dated 27.01.2005. The detailed action taken against the concerned officials by the State Government as per this Ministry's letter is not known to this office till date.

No Lease Agreement was executed for the 75 sq.kms by Oil India with the State Government. This is evident from the Mining lease Dated 12th Sept 1997.

Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Government or not.



No, as this is a Reserved Forest in 75 ha. In case the remaining 74.25 sq.km is not a forest area then the State Government will have to survey if any rehabilitation is required.

Reclamation plan:

Details and financial allocation.

Details on catchment and command area under the project. Catchment area treatment plan to prevent siltation of reservoir.

The State Government will have to submit a detailed scheme for such reclamation in the forest area illegally occupied by the encroachers.

Cost benefit ratio.

Not Applicable at this stage on the proposal for mining lease

Recommendations of the Principal Chief Conservator of Forests/State Government.

As per the Part V of Proposal dated 23.11.2015.

13. Recommendations of Regional Chief. Conservator of Forests (Additional Principal Chief Conservator of Forests) along with detailed reasons.

The recommendation of the Additional Principal Chief Conservator of Forests will be his forwarding letter to the Ministry.

14. Regional Chief Conservator of Forests shall give detailed comments on whether there are any alternatives routes/alignment for locating the project on the non-forest land.

This is a site specific proposal for oil drilling which had existed since 1967 by the Oil India Limited.

Numbers of Scheduled caste/Scheduled Tribe to be benefited by the project.



The State Government of Arunachal Pradesh has not mentioned any existing Forest Village in the 75.00 ha Koriapani Reserved Forest nor in other forest area of the 7425 ha, therefore there is no Scheduled caste/Scheduled Tribe to be benefited by the project. However, also the State Government did not mentioned such benefits for the Scheduled caste/Scheduled Tribe. But the Project will benefit the tribals of the Changlang District.

Whether land being diverted has any socio-cultural/religious value.

Whether any sacred grove or very old growth trees/forests exists in the areas proposed for diversion.

No

Whether the land under diversion forms part of any unique eco-system.

No

As per the classification by the Divisional Forest Officer Nampong clearly depicted in the Miip the area of 5314.461 is a non-forest area. Therefore the remaining i.e $(7500.0005134.461) = 2365.539$ ha is a forest area out of which 75 ha is a Reserved Forest under Koriapani Reserved Forest The other remaining forest area is for the Environment & Forest Department to clearly clarify its Status.

During the Site Inspection of the 75 sq km it was observed that a large area has been occupied by the people for settlement and cultivation. To ensure that the Mining Lease of 2365.539 ha of forest land is free from encroachment and occupation by various Department of Government of Arunachal Pradesh and other people a detailed survey is to be carried out under the supervision of an Officer not below the Chief Conservator of Forests , Government of Arunachal Pradesh.

The Net Present Value calculation as per of the CC F(Cons)&Nodal Officer (FCA) is again to be recalculate as per the classification of the forest as certified by the Divisional Forest Officer, Nampong.

In the proposal for mining lease for 7500 ha the compartment numbers were not depicted in a map nor the G.P.S-Coordinates. This clearly reflected that proper site identification by the field officers as per the Approved Working Plan has not been carried out. Therefore the entire exercise of survey and demarcation and to determine the non forest area and forest area is to be carried out again.



Areas where people had settled and Government of Arunachal Pradesh has established the infrastructures of the various Department outside 75 ha Reserved Forest under Koriapani cannot be a forest land.

In case the forest area under the mining lease, is illegally occupied by the people and Government of Arunachal Pradesh immediate action is to be taken or the NPV is to be paid by the Government of Arunachal Pradesh.

As per the SOI Topo Sheet for the 75 Sq km proposed mining lease the Koriapani Reserved Forest has been depicted in the map. Out of which only 75 ha out of 599 ha falls under the proposed Mining Lease. The rest of the area in the SOI Topo Sheet does not depicted any reserved Forest in the proposed Mining Lease.

Therefore to it is essential at this stage to referred to the Order of the Hon'ble Supreme Court LA NOS. 1868.2091.2225-2227,2380,2568 and 2937 In W.P(C)No 202 Of 1995 Lafarge Umiam Mining Pvt Ltd Dtd 06/07/2011 to determine the forest area and non forest area as depicted in the Divisional Forest Officer ,Nampong Map.

The diversion taken during the meeting held on 29/05/2012 under the Chairmanship of Dr. T. Chatterjee, Secretary, MoEF (Annexure-7) regarding the tea cultivation may kindly be seen for references on the large area under tea cultivation in the proposed Mining lease i.e. for 540.668 sq.km, 95 sq.km and 9.94 sq.km.

The photographs taken during the site visit are enclosed as Annexure.

As an inspecting officer I am not convinced that all the 7500 ha as mentioned in the forwardin2 Letter No. CCF(Cons) & Nodal Officer(FCA), Government of Arunachal Pradesh is a Reserved Forest on what has been observed in the field. In case, it is so the Government Notification for the 7425 ha as a Reserved Forest is to be provided if not, the forest and non-forest land is to be determined as mentioned at (ix) above. This may be carried out before the Ministry decided to grant the Mining Lease.



23. Recommendation by FAC

After thorough deliberation FAC recommended that -

- 1) The state government shall provide the detail of approval under FC Act 1980, if any obtained for execution of lease deed in year 1997 for period of 20 years with effect from 1983 to 2003. It may also be clarified if any well was operating in the area after expiry of lease in 2003.
- 2) The State Government shall also provide its comments on the observations contained in the Site Inspection Report of the Regional Office of the MOEF & CC

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the left.

Sub: Proposal for diversion of 291.17 hectares of forest land for Punasi Reservoir Project under the Deoghar Forest Division, Jharkhand State

1. The State Government of Jharkhand, Department of Environment, Forests & Climate Change, vide his letter No. Van Bhoomi – 25/2015/1244 dated 03.03.2016 submitted a fresh proposal online to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980 for diversion of 291.17 hectares of forest land for Punasi Reservoir Project under the Deoghar Forest Division, Jharkhand State.
2. The following facts as submitted by the State Government were examined by the FAC.
3. The area of 291.17 hectares falls in Deoghar District in Jharkhand.
4. The 291.17 Ha of forest land comprises 254.68 Ha notified forest land and 36.49 Ha Jungle-Jhari. The density of vegetation is 0.2. The area is prone to erosion.
5. The area proposed to be diverted does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc and no rare/ endangered/ unique species of flora and fauna is found in the area.
6. Further no protected archaeological/ heritage site/ defense establishment or any other important monument is located in the area.
7. The State Government has stated that the area proposed to be diverted is the barest minimum required for the project.
8. In violation of the Forest (Conservation) Act, 1980, earth work in construction of spillway and canals and earth filling and stone pitching in construction of dam has already been carried out. **A total area of 30.25 ha** has already been used by the user agency without getting prior approval from the Government of India. Total 7 (Seven) numbers of Forest offence cases has been initiated and 3 (Three) F. I. R lodged against the offenders. The court cases are still pending.
9. For Compensatory Afforestation a total of 291.46 Ha has been identified in 26 patches. A Detailed Compensatory Afforestation Scheme has been prepared with financial outlay of Rs. 6, 15, 05, 153/-



10. Certificate from DFO, stating that the details of area proposed, identified and related to the Compensatory Afforestation over 291.46 hectares of non-forest land and its suitability from management point of view is also provided. The Catchment Area Treatment (CAT) Plan has also been provided.
11. The Deputy Commissioner, Deoghar, Government of Jharkhand has issued FRA Certificate for diversion of 291.17 hectares dated 10.12.2015 certifying that the information in respect of all clauses of the MoEF's advisory dated 5.07.2013 as required under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, including discussion on the proposal in meeting of concerned Gram Sabha (s) maintaining the prescribed quorum, etc in the concerned Gram Sabha (s) of Gokhala and Parabtui Village under the Deoghar Division has been complied with.
12. The DFO has recommended the project with the observation that, *Out of 291.17 hectares of forest land, work has already been done over 30.25 hectares of forest land. So this proposal is recommended with provisions of penal N.P.V over already worked area and penal Compensatory Afforestation which Government may deem fit.* Further the CCF has also recommended the proposal with the observation that *The work in the project was started more than thirty years back and 30.25 hectares of notified forest land has been put to use so far for non forestry purpose violating the provision of Forest Conservation Act. Since a large chunk of works have already been carried out upon GM & raiyati land in addition to the 30.25 hectare of forest land, it would be a wise and beneficial step and in the interest of State's and nation's progress that with the penal provision to inflict cost of penal compensatory Afforestation upon 30.25 hectares, the project may be sanctioned. Accordingly recommendation is being made.* The proposal has also been recommended by the PCCF and State Government.
13. The State Government of Jharkhand, Department of Environment, Forests & Climate Change, vide its letter dated 03.03.2016 submitted following additional information pertaining to the proposal:
 - (i) The project does not involve diversion of any forest under administrative control of Revenue Department.



(ii) NPV of the forest land proposed to be diverted has not been paid by the user agency. The user agency has not submitted undertaking to make payment of the same.

14. The forest land proposed to be diverted had also been inspected by Shri A. N. Sharan, Addl. Chief Conservator of Forests (Central), Regional office (Eastern Central Zone), Ranchi. Additional information furnished in the inspection report submitted by the Regional Office (Eastern Central Zone), Ranchi vide their letter dated 19.04.2016 are as below:

The site inspection of the above project was carried out by the undersigned on 11.04.2016 in the presence of Divisional Forest Officer Deoghar, user agency represented by Executive Engineer Er Jai Prakash Choudhary, Er Suresh Chand Sah, TA, Er Deveshwar Hansda, AE and other JEs, Range forest officer of Deoghar and other field staff.

Legal status of the forest land proposed for diversion:

The legal status of the forest land is 254.68 ha of Protected Forests (notified), and 36.49 ha of Jungel Jhari.

Item-wise break-up details of the forest land proposed for diversion.

S. No.	Land details	Area(Ha)
1.	Submergence	210.94
2.	Dam	09.23
3.	Spillway	42.27
4.	Canals	28.73
	Total	291.17

Whether proposal involves any construction of buildings (including residential) or not. If yes, details thereof: Not reported.

Total cost of the project at present rates: As per record it is Rs 700 crores.

Wildlife:



Whether forest area proposed for diversion is important from wildlife point of view or not: No rare/endangered species of fauna are found in the area. Proposed area for diversion does not form a part of National Park, Wildlife Sanctuary, and Biosphere/Tiger Reserve.

Vegetation:

The area proposed for diversion seems to be sparsely forested. General topography is undulating to rugged with low ridges and valleys.

Surface is rocky with scattered trees. The forest is thin and density of vegetation appears to be less than 0.2 (photos enclosed).

Total number of trees to be felled.

The no. of trees enumerated comes to 545. Trees less than 60 cm girth are 363 in number and more than 60 cms are 182 in number.

Effect of removal of trees on the general ecosystem in the area:

The forest area proposed for diversion is highly deteriorated and prone to soil erosion and devoid of any good vegetation. This project helps in moisture conservation which will enable vegetation to come up profusely.

Compensatory Afforestation:

As reported, DFO Deoghar has identified 291.17 ha of non-forest land 26 patches.

Whether land for compensatory Afforestation is suitable from plantation and management point of view or not:

Suitable as reported by DFO Deoghar.

Whether land for compensatory Afforestation is free from encroachment/ other encumbrances:

As per records land for compensatory Afforestation is free from encroachment/other encumbrances.

Whether land for compensatory Afforestation is important from Religious / Archaeological point of view: Not reported

Land identified for raising compensatory Afforestation is in how many patches, whether patches are compact or not:



DFO, Deoghar has identified 291.17 ha of non-forest land for raising compensatory Afforestation in 26 patches as under.

S. No.	Name of the Village	Area (in ha).
1	Ashanbani	7.28
2	Achato	19.99
3	Ambatarn	10.12
4.	Badiya	34.92
5	Banghora	4.86
6	Basburia	20.12
7.	Devpahari	11.53
8	Dhanhet	10.00
9	Fathepur	5.26
10	Chormara	24.99
11	Joramoh	3.24
		0.81
12	Khamarbad	10.12
13	Kurwa	16.59
14	Morango	10.00
15	Nakti	10.52
16	Parasbani	4.21
17	Parsodih	2.43
18	Parsiya	27.52
19	Patghri	2.83
20	Poraiya	10.12
21	Sayar Jungle	7.69
22	Sirsiya	16.26
23	Taraband	9.87
24	Tengdhoya	4.45
25	Tilaya	2.02
26	Tilaona	3.71
	Total	291.46



Map with details:

Enclosed in the file.

Total financial outlay:

Rs 6.15 crores.

Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. If yes, a detailed report on violation including action taken against the concerned officials:

Yes, as per records earth work in construction of spillway, canals and stone pitching in construction of dam has already been carried out by the user agency. A total area of 30.25 ha has already been user by the user agency before getting prior approval from the Govt of India. Total 7 cases were initiated and 3 F.I.Rs were lodged against the offenders (Cases are pending in the local courts).

Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Government or not:

As reported around 606 families will be rehabilitated. Out of which 109 families come under SC and 44 families under ST Category. Detailed resettlement and rehabilitation plan has been prepared and submitted.

Reclamation plan:

Not Required.

Details on catchment and command area under the project:

Detailed CAT plan has been prepared and enclosed.

Catchment area treatment plan to prevent siltation of reservoir:

CAT plan has been prepared and enclosed.

Cost benefit ratio:

As reported it is 1:1:29.

Recommendations of the Principal Chief Conservator of Forests/State Government.

Recommended by the PCCF / State Government.



Conservator of Forests (Central) shall give detailed comments on whether there are any alternative routes/alignment for locating the project on the non-forest land:

Annexed separately.

Utility of the project:

This scheme will provide 15384 ha. Kharif & 8907 ha. Rabi irrigation in 4 blocks of Deoghar & Dumka District in Jharkhand namely Deoghar, Mohanpur Sarwan and Saraiyahat. The command area of this scheme is drought prone, farmers are dependent on the mercy of rainfall for irrigation.

Hence this scheme will be prove as a boon for the entire command area. This will also improve socio-economic condition of the people of entire locality. Simultaneously the scheme will generate employment of nearly 1,50,000 person-days as temporary & 50 nos. of persons as permanent/ regular employment.

Numbers of Scheduled Caste/Scheduled Tribes to be benefited by the project:

This project will benefit more than 7.0 lacs population directly out of which SC population is about 13.7 % and ST population is about 10.3 %.

Whether land being diverted has any socio-Cultural / religious value:

Not reported.

Whether any sacred grove or very old growth trees / forests exist in the areas proposed for diversion:

Not reported.

Whether the land under diversion forms part of any unique eco-system:

Not reported.

Situation with respect to any Protected Area:

Proposed area for diversion does not form a part of National Park. Wildlife Sanctuary and Biosphere/ Tiger Reserve.

Any other information relating to the project:

Area proposed for diversion seems to be very sparsely vegetated with density less than 0.2 and prone to soil erosion. The area around the reservoir is very much prone to erosion. If it is not treated with proper vegetative means, there is strong possibility of siltation from all around, which may defeat the very purpose of the dam within few years. Therefore, it has to be checked and treated properly.



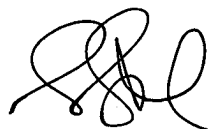
Suitable species of trees, grasses, herbs and shrubs may be planted along the bank of the reservoir and canal in at least 10 meters strip. This project once constructed will provide water to the agricultural fields and around 15,000 ha of parched agricultural fields in the downstream will be benefitted. This proposal is good for facilitating water for irrigation to the rural areas and will also help in soil moisture conservation and will definitely enable vegetations to come up profusely. The user agency shall have to take all possible precautions for protection of environment and control of pollution while operating in the area.

15. The Addl. Principal Chief Conservator of Forests, Eastern Central Zone, Ranchi has recommended the proposal with general and standard conditions alongwith conditions of penal CA. This scheme will provide 15384 ha. Kharif & 8907 ha. Rabi irrigation in 4 blocks of Deoghar & Dumka District in Jharkhand namely Deoghar, Mohanpur, Sarwan and Saraiyahat. The command area of this scheme is drought prone and farmers are dependent on the rains for irrigation.

16. Recommendation of FAC:

After detailed deliberations and hearing the submissions of the user agency the FAC recommended granting of Stage I approval for diversion of 291.17 hectares of forest land for Punasi Reservoir Project under the Deoghar Forest Division, Jharkhand State subject to general and standard conditions for irrigation projects and the following;

1. Imposition of Penal NPV for twice the area of **30.25 Ha.** ha for the time period for which area remained under violation of FCA 1980,
2. Penal compensatory afforestation to be raised over an area 5 times in extent to the area under violation i.e. **30.25 ha.**
3. The FAC also noted that the 26 CA sites made available for compensatory afforestation are great in number with many of the patches being too small to manage. The FAC recommended that the CA sites should be reselected keeping in mind that these should not be more than 10 in number. Accordingly a revised CA scheme be prepared and submitted along with an undertaking from the User Agency to fund the



same. The sites shall be inspected by the Regional Office and shall be finalized only on the satisfaction of the Regional Office.

4. The forest clearance from the MoEFCC shall be subject to the conditions imposed by the Hon'ble Court.

The FAC also recommended that the file would be put up for approval of the competent authority only on receipt of revised CA scheme along with suitability certificate and duly approved by the State Government and also the undertaking from the user agency to make payment of NPV of the forest land proposed to be diverted.

Agenda No. 2

F No. 8-01/2016-FC

Sub: Proposal for diversion of 134.424 hectares of forest land for Jadugauda Uranium Ore Mining and Uranium Ore Processing Plant Project in Village Ichra, Mechua under Jamshedpur Forest Division in Under Ground Mining for 100.681 hectares and 33.743 hectares for Open Cast Tilaitand, Tehsil Dhalbhumgarh, District East Singhbhum Jharkhand by M/s. Uranium Corporation of India Limited.

1. The State Government of Jharkhand, Department of Environment, Forests & Climate Change, vide his letter No. Van Bhoomi – 21/2015/362 V. P. Ranchi dated 22nd January, 2016 submitted a fresh proposal online to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980 for diversion of 134.424 hectares of forest land for Jadugauda Uranium Ore Mining and Uranium Ore Processing Plant Project in Village Ichra, Mechua under Jamshedpur Forest Division in Under Ground Mining for 100.681 hectares and 33.743 hectares for Open Cast Tilaitand, Tehsil Dhalbhumgarh, District East Singhbhum Jharkhand by M/s. Uranium Corporation of India Limited.
2. The following facts as submitted by the State Government were examined by the FAC.
3. The area of 134.424 Ha falls in East Singhbhum District and Jamshedpur Forest Division in Jharkhand
4. Of the 134.424 Ha of forest land 92.444 ha is Reserve Forest and 41.98 ha is Protected Forest.



5. The density of vegetation is 0.6. The area proposed to be diverted does not form part of any National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, but is a part of Singhbhum Elephant Reserve. No rare/ endangered/ unique species of flora and fauna is reported to be found in the area. The tree species in the area are *Shorea robusta*, *Anogeissus latifolia*, *Diospyros melanoxylon*, *Pterocarpus marsupium*, *Bombax ceiba*, *Gmelina arborea*, *Madhuca indica*, *Terminalia tomentosa*, *Cassia fistula* etc.
6. No protected archaeological/ heritage site/ defense establishment or any other important monument is reported to be located in the area.
7. The Regional Chief Conservator of Forests, Jamshedpur vide his letter No. 1618 dated 17.10.2014 stated that UCIL has operated the mines even after the expiry of mining lease i.e. from 16.10.1997, in violation of the Forest (Conservation) Act, 1980 and directed UCIL to stop all the non forestry works on forest land. The Divisional Forest Officer, Jamshedpur in compliance to above mentioned letter directed UCIL to stop mining activities on forest land. The MoEF & CC vide its letter No. F. No. 8-49/1997-FC dated 24.07.1997 accorded first stage clearance to UCIL and it was accorded second stage clearance vide its letter No. F. No. 8-49/1997-FC dated 20.04.1998.
8. The MoEF & CC vide its letter No. F. No. 8-49/1997-FC dated 21.03.1997 had given Temporary Working Permission for 9 months on already broken up area from 24.07.1997 to 23.03.1998. As per the available records, UCIL had mining lease from 16.10.1967 to 15.10.1987. The Deputy Secretary to the Government of India Ministry of Steel & Mines, Department of Mines vide its letter number. 2/57/88-M-IV dated 05.04.1989 granted first renewal of Mining lease from 16.10.1987 to 15.10.1997. At present UCIL has been granted mining lease from 16.10.1987 to 15.10.2007 as first renewal & for 20 years from 09.12.2014 to 08.12.2034 vide Government of Jharkhand, Department of Mines & Geology letter No. 2146 dated 07.10.2014 with conditions as stated by the DFO in his report.
9. No Compensatory Afforestation is reported and no Compensatory Afforestation Scheme is available. This can be attributed to case being that of renewal as Stage II clearance was already obtained in 1998. No financial outlay has been provided however undertaking by User agency to comply with directions is available.
10. About 1036 people are likely to be employed and about 5000 people are to be indirectly benefitted. A detailed reclamation plan has also been submitted.



11. The DGPS map and the 1:50,000 scale Survey of India, Toposheet of the area proposed for diversion is submitted.
12. The environment clearance has already been obtained by the user agency vide Ministry's letter No. J11015/710/2007-IA.II (M) dated 06.05.2011 of MoEF, Govt. of India.
 - (i) The District Magistrate and Deputy Commissioner, Purvi Singhbhum, Jamshedpur, Government of Jharkhand has issued FRA certificate dated 03.03.2015 for diversion of 134.424 hectares certifying the information in respect of all clauses of the MoEF's advisory dated 5.07.2013 i.e. diversion of forest land the for facilities managed by the Government and safeguarding the rights of Primitive Tribal Group and Pre-Agricultural Communities as required under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, discussion on the proposal in meeting of concerned Gram Sabha (s) maintaining the prescribed quorum, etc. The concerned Gram Sabha (s) are of the following villages:
 - (ii) Village Ichra in Musabani Circle in Ghatsila Sub-Division.
 - (iii) Village Bhatin, Mechuan Potka Circle in Dhalbhum Sub-Division.
13. The DFO has recommended the proposal with the following comments. *The recent proposal is for the renewal of forest diversion for mining. This proposal does not involve any further cutting of trees. This project is for mining of Uranium ores, it will also provide employment opportunities to the local people. The UCIL has operated the mines previously in 154.464 ha of forest land i.e. 100.681 ha underground mining and 53.783 ha surface area but not this time the user agency has applied for renewal of underground 100.681 ha & surface area of 33.743 ha. The user agency has submitted an undertaking regarding of rest surface area i.e. 20.04 ha regarding 20.04 ha of forest land does not come under the mining lease, the previous diversion vide letter F. No. 8-49/1997-FC dated 20.04.1998 still holds good & does not need any renewal as submitted by user agency. It is of the oldest & deepest uranium mines of UCIL. This mine is strategically important also as it caters the need of country's nuclear plant. Thus the proposal for renewal may be considered.*
14. The CCF has recommended the proposal with the following observation. *This project for Uranium, Corporation of India Limited, is an on-going project. Proposal consists of for renewal of 100.681 ha of forest land for underground mining and 33.743 ha for*



surface infrastructure developments. This proposal is concerned with the extraction of strategic mineral which is of national importance. Hence renewal for 134.42 ha of forest land may be considered, Recommended.

15. The proposal has also been recommended by the PCCF and State Government.
16. The State Government of Jharkhand, Department of Environment, Forests & Climate Change, vide its letter dated 03.03.2016 submitted following additional information pertaining to the proposal:
 - i. The Penal Compensatory Afforestation of the forest land proposed to be diverted has been paid from time to time by the user agency as per conditions to State Government. The user agency has been submitted undertaking to make payment of the same.
 - ii. NPV and Additional NPV of the forest land proposed to be diverted have been paid from time to time by the user agency as per conditions to State Government. The user agency has submitted undertaking to make payment of the same.
17. The forest land proposed to be diverted has been inspected by Shri A. N. Sharan, Addl. Chief Conservator of Forests (Central), Regional office (Eastern Central Zone), Ranchi. Additional information furnished in the inspection report submitted by the Regional Office (Eastern Central Zone), Ranchi vide their letter dated 27.04.2016 as below were also examined by the FAC.
 - i. The site inspection of the above project was carried out by the undersigned on 06.04.2016 in the presence Divisional Forest Officer, Jamshedpur, Assistant Conservator of Forest, Jamshedpur, user agency represented by Manoj Kumar DGM(Mine), R.K.Mishra Chief Supdt (Env Engg), Sridhar Babu Addl Supdt(Geology), Rajesh Prasad Supdt (mech), V.K. Mishra Asst Supdt (Survey) Manas Ghosh, Mine Manager, Srinu Badhavat Asst Supdt (mine).
 - ii. The proposal envisages renewal of diversion of 134.424 ha of forest land for Jaduguda Uranium Ore Mining and Uranium Ore Processing Plant Project in favour of M/s Uranium Corporation of India Ltd. in East Singhbhum district of Jharkhand. The UCIL has operated the mines previously in 154.464 ha of forest land including 100.681 ha underground mining and 53.783 ha surface area. Now the user agency has applied for renewal of underground mining 100.681 ha and surface area of 33.743 ha.



- iii. The Ministry had granted approval under Forest (Conservation) Act, 1980 vide letter No.8-49/97-FC dated 20.04.1998. As per DFO, the user agency has submitted an undertaking that the rest surface area i.e. 20.04 ha forest land doesn't come under the mining lease and the previous approval issued vide letter No.F.No.8-49/97-FC dated 20.04.1998 still holds good and doesn't need any renewal.

18. Legal status of the forest land proposed for diversion:

The legal status of the forest land is Protected Forests and Reserve forests.

S. No	Division	Forest land(Ha)	Legal status
1.	Jamshedpur	92.44	Reserved Forest
2.	Jamshedpur	41.98	Protected Forest

19. Item-wise break-up details of the forest land proposed for diversion.

Component	Forest land for underground use (Ha)	Forest land for surface use(Ha)	Village
Sewage Treatment plant		1.773	Ichra
Waste disposal area		17.06	Bhatin and Mechua
Surface mining facilities		14.91	Ichra,Bhatin and Mechua
Underground Mining Activities	100.681		Ichra,Bhatin and Mechua
TOTAL	100.681	33.743	

20. Whether proposal involves any construction of buildings (including residential) or not. If yes, details thereof;

Not reported.

21. Total cost of the project at present rates:

As reported by project authorities total operating cost is 90.00 crores per annum.



22. Wildlife:

Whether forest area proposed for diversion is important from wildlife point of view or not:

No rare/endangered species of fauna are found in the area. Proposed area for diversion does not form a part of National Park, Wildlife Sanctuary, and Biosphere/Tiger Reserve, but it is a part of Singbhum Elephant Reserve.

23. Vegetation

The area proposed for diversion seems to be a very thickly forested. General topography is undulating to rugged with low ridges and valleys. The density of vegetation appears to be more than 0.6, however since this is an underground project and there will be no disturbance to the existing flora and fauna.

(a) Total number of trees to be felled.

Nil, since this is an underground mining renewal project no trees are proposed for felling.

(b) Effect of removal of trees on the general ecosystem in the area:

Since this proposal is an underground mining renewal project there will no affect on the general eco-system of the area.

24. Compensatory Afforestation:

Since this is an underground mining renewal proposal CA details are not available.

(a) Whether land for compensatory Afforestation is suitable from plantation and management point of view or not:

No information is available in records.

(b) Whether land for compensatory Afforestation is free from encroachment/other encumbrances:

No information is available in records

(c) Whether land for compensatory Afforestation is important from Religious/Archaeological point of view:

Not reported.

(d) Land identified for raising compensatory afforestation is in how many patches, whether patches are compact or not:

No information is available in records.

(e) Map with details:

No information is available in records.



(f) Total financial outlay:

No information is available in records.

25. Whether proposal involves violation of Forest (Conservation) Act, 1980 or not. If yes, a detailed report on violation including action taken against the concerned officials:

As per the information available in the proposal, before the date of expiry of original Lease i.e. 15.10.87, UCIL submitted application for renewal of lease for next 20 years(1987 to 2007).The ministry of Steel and Mines, Department of Mines G.O.I conveyed its approval for renewal of Mining lease for 10 years i.e. from 16.10.1987 to 15.10.1997 vide its letter no.2157/88-M-IV Dated 25.4.1989.The above renewal of 10 years did make the UCIL automatically entitled to get benefit of renewal of the said mining lease for a further period of years i.e. from 16.10.97 up to 15.10.2007,as clarified and conveyed by the Govt. of India, Ministry of Mines, memo no. 4/108/2005-M I V dated. 21.11.2005 (Copy enclosed).

As a follow up action order for renewal of Mining lease has now been issued by the Department of Mines & Geology, Jharkhand vide its letter no. 2146 dated. 07.10.2014, both for first renewal for 20 years from 16.10.1987 to 15.10.2007 and 2nd renewal also for a period of 20 years, but not starting from 16.10.2007, rather counting it from the date of execution of 2nd lease deed and declaring the mining period from 16.10.2007 till the date of execution of lease deed unlawful.

However during Site Inspection, the User Agency has submitted a copy of the letter No.B.M.-06-1030/90/2577/M dated 7.12.2015 of Department of Mines & Geology, Government of Jharkhand vide which UCIL has been granted mining lease of 20 years from 16.10.1987 to 15.10.2007 as first renewal and 20 years from 16.10.2007 to 15.10.2027 as second renewal.

26. Whether proposal involves rehabilitation of displaced persons. If yes, whether rehabilitation plan has been prepared by the State Government or not:

This is an old mining project. So no rehabilitation is required.

27. Reclamation plan:

Submitted by the user agency and the same is enclosed.

28. Details on catchment and command area under the project:

Not applicable.

29. Catchment area treatment plan to prevent siltation of reservoir:




Not applicable.

30. Cost benefits analysis of project.

Uranium Corporation of India Limited (UCIL), a Government of India undertaking under the Department of Atomic Energy (DAE) has the sole responsibility of mining and processing of the Uranium ore in India. The data related to production and reserve of uranium is classified information under section 18 of Atomic Energy Act, 1962 and rule 11 of Atomic Energy Rules 1984 (working of the mines, minerals and handing of prescribes substances). However the unclassified data has been furnished as per the Performa.

Parameters for evaluation of benefit not withstanding loss of Forest:

S. No	Parameters	Benefit per annum
1	Increase in Productivity attributable to the specific project Uranium ore	Data is classified as per Atomic Energy Act
2	Benefit to economy from uranium mining.	Data is classified as per atomic energy act
3	No of population benefited	More than 5000 including indirectly benefited
4	Employment potential	1036
5	Cost of acquisition of facilities on non Forest land wherever feasible	Nil
6	Loss of (a) agriculture (b) animal husbandry production due to diversion of forest land	Nil
7	Cost of rehabilitating the displaced person as different from amount from compensation amounts given for displacement	Nil



8	Cost of supply of free fuel wood to workers residing in or near Forest area during the period of construction	Operation in the mining lease has been started in 1967. Alternative fuel like LPG is being supplied through Co-operative stores UCIL has provided subsidized electricity to its employees.
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31. Recommendations of the Principal Chief Conservator of Forests/State Government.

Recommended by the PCCF / State Government.

32. Addl. PCCF (Central) shall give detailed comments on whether there are any alternative routes/alignment for locating the project on the non-forest land.

Annexed separately.

33. Utility of the project:

Uranium is the basic raw material for operating nuclear reactors, uranium produced from the mine is sent to Nuclear Fuel Complex Hyderabad where it is further processed to cater the countries various nuclear programs.

34. Numbers of Scheduled Caste/Scheduled Tribes to be benefited by the project:

Data unavailable.

(a) Whether land being diverted has any socio-cultural/ religious value:

Not reported.

(b) Whether any sacred grove or very old growth trees/forests exist in the areas proposed for diversion:

Not reported.

(c) Whether the land under diversion forms part of any unique eco-system:

Not reported.

35. Situation with respect to any Protected Area:

Proposed area for diversion does not form a part of National Park. Wildlife Sanctuary, Biosphere/Tiger Reserve.

36. Any other information relating to the project:

During the site inspection it was observed that no work has been started by the user agency and the whole area was demarcated on the ground. The GPS coordinates of some of the points were selected randomly and were verified on the ground by handheld GPS instruments and found to be in order. The user agency shall have to take all possible



precautions for protection of environment and control of pollution while operating in the area.

37. The Addl. Principal Chief Conservator of Forests, Eastern Central Zone, Ranchi has recommended grant of approval under the FC Act for diversion of the forest land for the following reasons:

- i. The instant proposal is for renewal of diversion of 134.424 ha of forest land for Jaduguda Uranium Ore Mining and Uranium Ore Processing Plant Project in favour of M/s Uranium Corporation of India Ltd. In East Singhbhum district of Jharkhand.
- ii. On perusal of records and Site Inspection Report of DCF the following observations are made:
 - (a) The legal status of the forest land is 92.44 ha of Reserved Forest and 41.98 ha Protected Forests.
 - (b) The item-wise break-up of the forest land is as follows:

S. No.	Land details	Area (Ha)
1.	Sewage Treatment Plant	1.773
2.	Waste Disposal Area	17.06
3.	Surface Mining Facilities	14.91
4.	Underground Mining Activities	100.681
	Total	134.424

- iii. The density of vegetation has been reported to be 0.6, however it is an underground project and there will be no disturbance to the existing flora and fauna.
- iv. No tree is proposed to be felled, since it is an underground mining project.
- v. The Ministry had granted approval under Forest (Conservation) Act, 1980 vide letter No. 8-49/97-FC dated 20.04.1998.
- vi. Uranium Corporation of India Limited (UCIL), a Government of India undertaking under the Department of Atomic Energy (DAE) has the sole responsibility of mining and processing of the Uranium ore in India.
- vii. Uranium is the basic raw material for operating nuclear reactors etc.



- viii. Keeping in view of the above facts it is recommended that the proposal may be considered for approval with standard conditions.

Recommendation of FAC:

The committee after detailed deliberations recommended that:

- 1) State Government be asked to submit the report on violation within two weeks and submit present status of forest land in the proposed area. This should also address the discrepancy in the dates of renewal of leases and the period for which the mine was operating without any lease and in violation of the Acts/Rules in force.
- 2) Further the State Government to examine and submit detailed report on under what authority were the User Agency allowed to carry out the operations without the approval of the Ministry and collection of Penal CA and Additional NPV:
- 3) The details of the compliances of Stage-II conditions in letter No. 8-49/97-FC dated 20.04.1998.

Agenda No. 3

F No. 8-56/2014-FC

Sub: Proposal for diversion of 776.20 hectares of forest land in Lankapalli Reserve Forest of Khammam Division in favour of Singareni Collieries Company Limited (SCCL) for their JVR OC-II Mine coal mining project. Requesting to issue a comprehensive Stage – I clearance for the total extent.

1. The Government of Telangana vide letter No 338/For.I(1)/2014-4 dated 02/05/2016 had enclosed a letter wherein the request of user agency i.e M/s SCCL to issue comprehensive Stage –I clearance for total extent of 776.20 Ha was made. The FAC was apprised of the following facts in this regard.
2. The Government of Andhra Pradesh (Telangana), Environment, Forests, Science & Technology (For.I) Department vide their letter No. 338/FOR.I (1)/2014 dated 20.05.2014 submitted a proposal to obtain prior approval of the Central Government, in terms of the section-2 of the Forest (Conservation) Act, 1980 for diversion of 776.20 hectares of forest land in Lankapalli Reserve Forest of Khammam Division in favour of



Singareni Collieries Company Limited (SCCL) for their JVR OC-II Mine coal mining project.

3. The said proposal along with site inspection report (SIR) received from the Regional Office (South Eastern Zone), Chennai was placed before the Forest Advisory Committee in its meeting held on **20th -21st October, 2014** for their examination and appropriate recommendations.
4. The Forest Advisory Committee FAC **recommended only for diversion of 565.66 hectares of forest land, excluding 210.54 hectares** of forest land required for dump yard, subject to general conditions, standard conditionals applicable to mining projects. The Ministry has granted in-principle approval under the Forest (Conservation) Act, 1980 on dated 10.12.2014.
5. After submission of the justification by the project proponent for **210.54 ha** of forest land the proposal was again put up for consideration of the Forest Advisory Committee (FAC) in its meeting held on dated **31.10.2015**. The FAC considered the proposal and after examination of the justifications, recommended the diversion of the balance 210.54 Ha.
6. The Director (Planning & Projects) For Singareni Collieries Company Limited, Telangana vide his letter No. CRP/EST/F/109/14 dated 05.01.2016 had submitted a request letter to issue a **comprehensive Stage – I clearance for the total extent for diversion of 776.20 hectares** of forest land in Lankapalli Reserve Forest of Khammam Division in favour of Singareni Collieries Company Limited (SCCL) for their JVR OC-II Mine coal mining project.
7. The project proponent stated that in pursuance to the MoEF & CC vide letter cited issued Stage – I clearance for diversion of 565.66 ha out of 776.20 hectares of forest land in Lankapalli Reserve Forest of Khammam Division in favour of Singareni Collieries Company Limited, (SCCL) for their JVR OC-II Mine coal mining project, the compliance is yet to be done.
8. The user agency further reported the State Government submitted a detailed justification report and after considering the report of State Government as desired by FAC in the meeting held on 30.9.2015, the Addl. PCCF, Regional Office, Chennai has inspected the area and submitted report about the requirement of Forest land for dumping. The FAC again discussed the proposal in the meeting held on 31.12.2015 and



recommended for diversion of balance 210.54 ha and MoEF & CC is to issue Stage – I clearance for the balance 210.54 ha.

9. In this connection, it is to submit that consequent to issue of stage – I clearance for 565.66 ha by MoEF & CC, SCCL pursued the matter with the local forest officials for issuing demand towards CA, NPV, Safety Zone etc. But, they are stating that since the compliance of conditions for 565.66 ha can be taken up only after MoEF & CC communicated final decision on the 210.54 ha to avoid two compliance reports for the Forest land covered in the same application and required for the same project.
10. Accordingly, no action has been taken to comply with the conditions of Stage – I clearance earlier issued by MoEF & CC for 565.66 ha. Since the FAC has already recommend for diversion of 210.54 ha also which is part of the same application, it is requested to kindly arrange to issue of a comprehensive stage – I clearance for the total extent of 776.20 ha in supersession of the earlier Stage – I clearance issued for 565.66 ha to enable SCCL to initiate action to comply with all the conditions of the entire Forest land and submit the same to MoEF & CC through State Forest Department for grant of Stage – II clearance.
11. **Recommendation of FAC:**

After detailed deliberations and on receipt of request of State Govt for issue of revised Stage-I Clearance, the FAC recommended granting of consolidated Stage I approval for diversion of a total forest land of 776.20 ha. including 210.54 hectares of forest land required for OB dump, subject to general conditions, standard conditions applicable to such mining projects in supersession of the earlier Stage – I clearance issued for 565.66 ha.

The FAC also recommended that any of the special conditions as imposed by FAC while recommending 565.64 Ha and 210.54 Ha separately would continue to hold good, including that the area for diversion of 210.54 ha would only be used for O.B dump and reclamation and handing over the 210. 54 Ha for O.B Dump will be done within 10 years as per the undertaking submitted by the user agency.



Sub: Proposal for diversion of 13267.12 ha. Forest lands in various forest blocks in Krishna and Guntur Divisions & Districts of Andhra Pradesh for Capital City Infrastructure Development Projects in Andhra Pradesh Capital Region.

1. The State Government of Andhra Pradesh, Environment, Forest, Science and Technology (Section. II) Department vide its letter No. 5446/Section –II/2014 dated 25th April, 2015 received on 28.05.2016 in this Ministry submitted a revised proposal of various divisions to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980 for diversion of 13,267.12 hectares of forest land, in favour of Andhra Pradesh Capital Region Development Authority (AP CRDA) for undertaking Capital City Infrastructure Works.
2. The observations made by the Ministry of Environment, Forests and Climate Change, Government of India, New Delhi on the earlier proposal have been duly complied with while submitting the revised proposals. The State Government has agreed to pay the Net Present Value (NPV) as prescribed and also provide equal extent of Non-Forest Land for Compensatory Afforestation (CA) and provide for the cost of Compensatory Afforestation (CA). The application was submitted offline in hard copy under the exemption granted by the competent authority vide approval on 13/10/2015 on F No 08-24/2015-FC.
3. The following facts /submissions in the proposal were placed before the FAC in its meeting held on 03rd May, 2016.

Category of the Project.	Others
Shape of forest land proposed to be diverted:	Linear /Non Linear/ Hybrid
Estimated cost of the Project:	Not given
Total period for which the forest land is proposed to be diverted :	99 Years (Permanent)
Total Area of Forest Land for proposed for diversion:	13267.12 Ha
Non-Forest Land required for this Project* :	0 Ha



A-2. Details of User Agency:

1. Name* :

Andhra Pradesh Capital Region Development Authority

2. Address1 :

Lenin Centre,
Governorpet, Vijayawada
PIN : 520 002

3. Address2 :

Same as above.

4. State:

Andhra Pradesh

5. District :

Krishna

6. Landmarks :

Lenin Centre, Governorpet,

7. Email Address:

srikant@apcrda.org

8. Landline Telephone No :

0866-2577475

9. Fax No.:

0866-2577357

10. Mobile No.:

+91 7095599004

11. Website (if any):

www.crdap.gov.in

12. Details of Proposals seeking prior approval of Central Government under the Act for diversion of forest land submitted by the User Agency in the past. :

-Nil-

Andhra Pradesh Capital Region
Development Authority was notified by the



13. Legal status of User Agency * : Government of Andhra Pradesh vide G.O. Ms. No. 255, MA&UD(M-2) Dept., dated 30-12-2014.

A-3. Details of Person Making Application:

1. Designation:

Commissioner, Andhra Pradesh Capital Region Development Authority (APCRDA)

2. Address1 :

Lenin Center,
Governorpet, Vijayawada
Pin: 520 002

3. State:

Andhra Pradesh

4. District :

Krishna

5. Pin :

520 002

6. Landmarks:

Lenin Centre

7. Email Address:

srikant@apcrda.org

8. Landline Telephone

0866-2577475

9. Fax No.:

0866-2577357

10. Mobile No.:

+91 7095599004



Enclose a copy of documents in support of the competence/authority of the person making this application to make application on behalf of the User Agency *-
ANNEXURE-I

Enclosed.

B. Details of Land required for the Project:

B-1. Details of proposal seeking prior approval of Central Government under the Act for diversion of forest land for the Project already submitted in the past.

It has been stated as No, not submitted in the past.

This is not factually correct as an application for diversion of 19256.8 Ha of forest land for the same project was made in September 2015.

If YES, details be furnished :

As above

B-2. Details of forest land proposed to be diverted:

No. of Divisions*:

Two (2)

Division wise details of land:

Division 1 *: NAME:

Krishna

Forest Land: (Ha.)

5912.75

Non-Forest Land (Ha.)

0

Total (Ha):

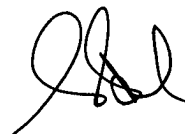
5912.75

Division 2 *: NAME:

Guntur

Forest Land: (Ha.)

7354.37



Non-Forest Land (Ha.)

0

Total

7354.37

Total Forest Land of Two Divisions (Ha):

13267.12

B-2.2 Details of Districts involved:

No. of Districts *:

Two (2)

District wise breakup:

District 1 * :

Krishna

Forest Land: (Ha.)

5912.75

Non-Forest Land (Ha.)

0

Total (Ha.)

5912.75

District 2 * :

Guntur

Forest Land: (Ha.)

7354.37

Non-Forest Land (Ha.)

0

Total (Ha)

7354.37

Total Area of Forest Land for proposed for diversion: 13267.12 Ha

B-2.3 Forest Block wise break up of Forest Land proposed for Diversion:



SL. No.	DIVISION	FOREST BLOCK	AREA (Ha)
1.	Krishna	Gudimetla	196.37
		Kondapalli	890.43
		Kothuru	194.76
		Metlapalli	128.70
		Survaram	703.83
		Chandragudem	295.83
		Dasullapalem	546.42
		Jangalapalli	209.92
		T. Gannavaram	641.50
		Tholukodu	264.36
		Velvadam	89.75
		Annavaram	90.69
		Katrenipadu	1378.36
		Regunta	118.40
		Vattigudipadu	163.43
	Division-1 total		5912.75
2	Guntur	Karlapudi	371.80
		Kondaveedu	873.81
		Mothadaka	123.82
		Nidumukkala	231.33
		Padamadduru	118.30
		Tadepalli RF-Undavalli	251.77
		Venkatayapalem	1835.32
		Venkatayapalem Extn-1	792.83
		Venkatayapalem Extn-4	218.89
		Venkatayapalem Extn-5	1437.52
		Venkatayapalem Extn-7	266.28
		Venkatayapalem Extn-8	832.70
			Division-2 total
GRAND TOTAL			13267.12

B-2.4 Component wise breakup (Note: Multiple entries of Component allowed)

Component wise Linear breakup (Note:1 Km square=100ha.)

Forest Land:

Component* :

Length(if any): (Km.)

Width (if any) : (Km.)

Area: (Ha.)

Non Forest Land:

Length (if any): (Km.)

Width (if any): (Km.)

Area: (Ha.)

Total land : (Ha.)

No component wise break up is given.

C. Maps of forest land proposed to be diverted

Division name *:

Area of forest land to be diverted*:(Ha.)

Patch/Segment wise details: 15 Blocks, 26 segments.

Select No. of segments*:

Division name *:

Area of forest land to be diverted*:(Ha.)

Patch/Segment wise details: 12 Blocks, 14 segments.



Select No. of segments:

40

Enclose a copy of Survey of India Topo-sheet indicating boundary of forest land proposed to be diverted *(Block wise): Yes enclosed.

Enclose a scanned copy of the Geo-referenced map of the forest land proposed to be diverted prepared by using DGPS or Total Station *: (Block wise): Yes enclosed.

D. Justification for locating the Project in forest land and details of alternates examined:

Enclosed as ANNEXURE to each Block.

Whether a copy of map indicating location of alternative examined is provided* :

Yes enclosed to each Block.

E. Employment likely to be generated:

Whether project is likely to generate employment?*: Yes @ 10 employments per Ha. Totally it generates employment to 132671 persons.

F. Displacement of People due to the project, if any: No.

Whether project involve displacement?* : No

G. Details of Cost-Benefit analysis for the Project :

No Cost Benefit Analysis is given

Whether the Project requires Cost-Benefit analysis?* : Not given

H. Status of Environmental clearance

Whether the Project requires Clearance under the Environment (Protection) Act 1986 ?*: No.

However in the Inspection report of the Regional Office, (pg 7) it is mentioned that the EC was obtained from SEIAA. At present, a court case in NGT is going on. Further with activities like industries proposed the Environment Clearance may be a mandatory requirement.

I. Status of Wildlife Clearance :

Whether the Project or a part thereof is located in any Protected Area or their Eco sensitive zone? : No

J. Applicability of special provisions governing Scheduled Areas :



Whether the Project or a part thereof is located in a Scheduled Area(Yes/No)? *: No

K. Status of settlement of rights under the Forest Rights Act,2006 on the forest land proposed to be diverted

Whether the process for settlement of Rights under the Forest Rights Acts 2006 on the forest land proposed to be diverted has been completed?:

Does not arise, as no claims received in the proposed area to be diverted.

CERTIFICATE FROM DISTRICT COLLECTOR TO BE ENCLOSED ALONG WITH GRAMSABHA RESOLUTIONS:

Yes enclosed to each Block.

L. Details of land identified for Compensatory Afforestation:

Statement including the non-forest land village wise, Sy. No. wise is enclosed for a total of 13359 Ha.

2. Whether non-forest or Revenue forest land is required to be provided by User Agency?*: Yes.

As the status of the CA land is not clearly indicated it is possible that lands recorded in Revenue records as forest may also be included in the CA lands proposed.

3. Whether copy of Survey of India Topo-sheet indicating boundary of non-forest land proposed as CA Land Enclosed*:

Yes enclosed for each location.

4. Whether a scanned copy of the Geo-referenced map of the non-forest land proposed as CA Land prepared by using DGPS or Total Station enclosed*:

Yes enclosed for each location.

5. Details of Non Forest land as CA land (Sy. No. wise):*

Sl. No.	Name of the Circle/Division/Range	Name of the District/Mandal	Name of the Revenue Village	Sy No.	Extent in Ha
	PRODDATUR DIVISION	KADAPA DISTRICT			
1	Badvel Range	B. Mattam	Jangamrajupalli	1015	3738
			Jangamrajupalli	1014	
			Rekalakunta	744	
			Rekalakunta	743	
			T. Chowdaravaripalli	461	
			T. Chowdaravaripalli	462	



			Gundapuram	288	
			E. Nelaturu	288	
			D – Nelatur	572	
			G. Narasimhapuram	1	
			Somireddypalli	1378	
			Total		3738
2	Onipenta Range	Mydukur	Mittamanupalli	1424	
				31	900
				580	
			Total		900
3	Porumamilla Range	SAKN	Savisettipalli	891	146
		SAKN	Itukalapadu	549	742
			Itukalapadu & Savisettipalli	1240 1141	280
			Total		1168
			Division Total		5806
	KADAPA DIVISION				
1	Sidhout Range	Atloor	Viruru	426	
			Mallinenipatnam	764	1593
			Jonnaram	429	
			Rangampalli	58	
			Sub Total		1593
2	Kadapa Range	Sidhout	Nekanapuram	295	344
3	Vontimitta Range	Sidhot	Peddapalli	937	400
			Sub Total		744
		Vontimitta	Jowkulapalli	266	903
		Vontimitta	Konarajupalli	307	87
		Vontimitta	Kotapadu	613	186
		Vontimitta	Kudumaluru	401	211
			Total		1387
			Division Total		3724
			Circle/District Total		9530
	PRAKASHAM DISTRICT	GIDDALURU DIVISION			
1	Giddaluru Range	Besthavaripeta	Konapally	520	271
				542	817

			Giddaluru Division Total		1088
	MARKAPURAM DIVISION				
1	Markapur Range	Ardhaveedu	Magaturu	118	490
		Tarlupadu	Pothalapadu	1 & 9	217
		KK Mitla	Bachlakura padu	41	335
			Siddavaram	581	
			Siddavaram	194/3	290
			Chinnarikatla	1	
			Kambalapadu	424	306
			Katragunta	1	
			Siddavaram	635	
			Siddavaram	196	1103
			Gurralamadugu	1	
			Oddimadugu	1 & 2	
			Vagu madugu	1	
				Markapur Division Total	
			GRAND TOTAL		13359

5. Enclose the Following Documentary Proofs for the CA Land:

(a): Ownership Proof for Each Survey No.*

(Adangal/1B of the Sy. No. And extent signed by the Tahsildar in original):

It has been claimed to be Enclosed for each village, but the same is not seen with the proposal.

(b): Under taking to Transfer and mutata the non forest land in favour of Forest Department by Competent authority *:

It has been claimed to be Enclosed for each village, but the same is not seen with the proposal.

(c): Certificate of Non Encumbrance on CA Land from Competent Authority:

It has been claimed to be Enclosed for each village, but the same is not seen with the proposal.

6. Additional Information: Enclose required Undertakings and certificates:

(i) Undertaking on Forest Land Minimum Requirement:



Enclosed.

(ii) Undertaking on exploring all the alternatives:

Enclosed.

(iii) Undertaking for Payment of NPV

Enclosed.

(iv) Undertaking for payment of Addl. NPV if any.

Enclosed.

(v) Undertaking for payment of CA Cost.

Enclosed.

Site Inspection by Regional Office, Chennai

The forest land proposed to be diverted has been inspected by Shri **Dr. MRG Reddy**, Addl. Chief Conservator of Forests (Central), Regional office (South Eastern Zone), Chennai. Additional information furnished in the inspection report submitted by the Regional Office (South Eastern Zone), Chennai vide their letter No. 4-APA011/2015-BAN dated 02.05.2016 are as below:-

Introduction

A proposal for diversion of 13267.12 Ha. of forest land in favour of Andhra Pradesh Capital Region Development Authority (APCRDA) for undertaking capital city infrastructure works is submitted by the Government of Andhra Pradesh to the Ministry of Environment, Forests & Climate Change, NewDelhi.

Location of the Project

The Andhra Pradesh Capital Region Development Authority Act 2014 has come into force with effect from 30th day of December 2014. This is an act to provide for the declaration of the new capital area for the State of Andhra Pradesh and establishment of the Andhra Pradesh Capital Regional Development Authority for the purposes of planning, coordination, execution, supervision, financing, funding and for promoting and securing the planned development of the capital region development area, undertaking the construction of the new capital region development area, undertaking the construction of the new capital for the State of Andhra Pradesh and for managing



and supervising urban services in the new capital area and for matters ancillary thereto. As per the APCRDA Act, capital region is notified with an area of 8603 sq.kms. (which includes Reserve Forest area of 407.96 sq.kms. approx.) falling in Krishna and Guntur Districts of Andhra Pradesh. The proposed project falls in this region.

Salient Features of the Project

The proposal (revised) for diversion of 13267.12 Ha. of forest land in favour of Andhra Pradesh Capital Region Development Authority (APCRDA) for undertaking capital city infrastructure works is forwarded by the Government of Andhra Pradesh. They have rectified certain shortcomings, excluded the encroachments and steep slopes thereby reducing the area for diversion also. Now, an extent of 13267.12 Ha. have been confirmed for diversion in 27 forest blocks (15 blocks in Krishna District with 5812.75 Ha. and 12 blocks in Guntur District with 7354.37 Ha.), the details of which are given in the statement below.

SL. No.	DIVISION	FOREST BLOCK	AREA (Ha)
1.	Krishna	Gudimetla	196.37
		Kondapalli	890.43
		Kothuru	194.76
		Metlapalli	128.70
		Survaram	703.83
		Chandragudem	295.83
		Dasullapalem	546.42
		Jangalapalli	209.92
		T. Gannavaram	641.50
		Tholukodu	264.36
		Velvadam	89.75
		Annavaram	90.69
		Katrenipadu	1378.36
		Regunta	118.40
	Vattigudipadu	163.43	
	Division-1 total		5912.75
2	Guntur	Karlapudi	371.80
		Kondaveedu	873.81
		Mothadaka	123.82
		Nidumukkala	231.33
		Pedamadduru	118.30
		Tadepalli RF-Undavalli	251.77
		Venkatayapalem	1835.32
		Venkatayapalem Extn-1	792.83
		Venkatayapalem Extn-4	218.89

		Venkatayapalem Extn-5	1437.52
		Venkatayapalem Extn-7	266.28
		Venkatayapalem Extn-8	832.70
	Division-2 total		7354.37
GRAND TOTAL			13267.12

The State Government has confirmed that the DGPS survey has been completed for the area. An extent of 13359.00 Ha. have been identified and proposed in Kadapa and Prakasam Districts for Compensatory Afforestation, the details of which are given in the statement below. The DGPS survey has been conducted there also.

Sl. No	Name of the Circle/Division/Range	Name of the District/Mandal	Name of the Revenue Village	Sy No.	Extent in Ha
	PRODDATUR DIVISION	KADAPA DISTRICT			
1	Badvel Range	B. Mattam	Jangamrajupalli	1015	3738
			Jangamrajupalli	1014	
			Rekalakunta	744	
			Rekalakunta	743	
			T. Chowdaravaripalli	461	
			T. Chowdaravaripalli	462	
			Gundapuram	288	
			E. Nelaturu	288	
			D – Nelatur	572	
			G. Narasimhapuram	1	
			Somireddypalli	1378	
			Total		
2	Onipenta Range	Mydukur	Mittamanupalli	1424	900
				31	
				580	
			Total		900
3	Porumamilla Range	SAKN	Savisettipalli	891	146
		SAKN	Itukalapadu	549	742
			Itukalapadu & Savisettipalli	1240 1141	280
			Total		1168

			Division Total		5806
	KADAPA DIVISION				
1	Sidhout Range	Atloor	Viruru	426	1593
			Mallinenipatnam	764	
			Jonnaram	429	
			Rangampalli	58	
			Sub Total		1593
2	Kadapa Range	Sidhout	Nekanapuram	295	344
3	Vontimitta Range	Sidhot	Peddapalli	937	400
			Sub Total		744
		Vontimitta	Jowkulapalli	266	903
		Vontimitta	Konarajupalli	307	87
		Vontimitta	Kotapadu	613	186
		Vontimitta	Kudumaluru	401	211
			Total		1387
			Division Total		3724
			Circle/District Total		9530
	PRAKASHAM DISTRICT	GIDDALUR U DIVISION			
1	Giddaluru Range	Besthavaripeta	Konapally	520	271
				542	817
			Giddaluru Division Total		1088
	MARKAPURAM DIVISION				
1	Markapur Range	Ardhaveedu	Magaturu	118	490
		Tarlupadu	Pothalapadu	1 & 9	217
		KK Mitla	Bachlakura padu	41	335
			Siddavaram	581	
			Siddavaram	194/3	290
			Chinnarikatla	1	
			Kambalapadu	424	
			Katragunta	1	306
			Siddavaram	635	
			Siddavaram	196	
			Gurralamadugu	1	1103
			Oddimadugu	1 & 2	

			Vagu madugu	1	
			Markapur Division Total		2741
			GRAND TOTAL		13359

The proposal for Forest Land Diversion to an extent of 13,267.12 Ha. has been submitted by the Commissioner, APCRDA in Form-A, Part-1 along with required undertakings and certificates in hard copy since the online submission was exempted by the MoEF & CC, GoI, New Delhi. The DFOs – Guntur and Vijayawada have verified the proposal and submitted Part – 2 and the CFs – Guntur and Rajahmundry have submitted Part – 3 with their recommendations. Similarly, the PCCF (HoFF) and the State Government have recommended the proposals and submitted Part – 4 and Part – 5 to the MoEF & CC, GoI, New Delhi on 26.04.2016. The KML files of the DGPS authenticated maps of the forest lands as well as CA lands along with soft copies of Parts – 1,2,3,4 and 5 were submitted.

Background Note

The State Government, in the interactive meeting, has informed that the Section 94 (4) of the Andhra Pradesh Re-organisation Act 2014 provides that “The Central Government shall facilitate the creation of a new capital for the successor State of Andhra Pradesh, if considered necessary, by denotifying degraded forest land”. However, the Government of Andhra Pradesh decided to propose diversion of forest land within the CRDA area, as per the requirement for Capital City Infrastructure works instead of going for de-notification. Accordingly, the State Government has submitted the proposal to the Ministry of Environment, Forests & Climate Change, Government of India, New Delhi for the diversion of 19,256.80 Ha. initially (28 blocks in Krishna District with 9056.80 Ha and 13 blocks in Guntur District with 10,200.00 Ha) of reserved forest land within the Andhra Pradesh Capital Region Development Authority (APCRDA) area for the development of capital city infrastructure works with the APCRDA as the user agency. After preliminary examination, the Ministry of Environment, Forests & Climate Change, Government of India, New Delhi has requested the State Government to resubmit the proposals after removing the shortcomings and duly complying the following conditions: -

- (i) DGPS survey to be undertaken block-wise for the entire extent of 19,256 Ha. of reserved forest area proposed for diversion;



- (ii) Non-forest land for compensatory afforestation of equivalent extent will have to be identified and DGPS survey will also have to be done for the said land;
- (iii) Gram Sabha resolution along with certificate to be issued by the District Collector concerned under the RoFR Act 2006;
- (iv) Tree growth enumeration in the forest land, block-wise;
- (v) Purpose of diversion and land use plan to be furnished, block-wise. Three alternatives to be explored before identifying the forest land for such purpose;
- (vi) Net Present Value (NPV) and cost of Compensatory Afforestation will have to be borne by the user agency; and
- (vii) Justification for diversion of such large forest areas for diversion, as compared to other newly established capital cities in the country.

Remarks and Recommendations of Additional PCCF (Central)

- (i) In the revised proposal, the user agency has rectified the shortcomings as below: -
 - (a) DGPS survey completed;
 - (b) Non-forest land for compensatory afforestation of equivalent extent is identified along with DGPS survey completed;
 - (c) Gram Sabha resolution and District Collector certificate under RoFR Act 2006;
 - (d) Tree growth enumeration in sample plots;
 - (e) NPV and CA levies committed;
 - (f) But the main lacuna, however, is the purpose of diversion and land use plan is once again not furnished. Cost benefit analysis is also not furnished; and
 - (g) The justification for diversion of such large forest area is furnished by the user agency during the interactive meetings with them on 30.04.2016, as below: -
 - (1) As per the APCRDA Act, capital region is notified with an area of 8603 sq.kms. (which includes Reserve Forest area of 407.96 sq.kms. approx..) falling in Krishna and Guntur Districts of Andhra Pradesh is declared as capital city area.
 - (2) The population of APCRDA region was 58,65,285 (2011) having density of 682 persons / Km². And is project to be 138,00,000 (13.8 million) by 2050 will have a density of 1600 persons/Km². For capital city area of 217 Km², the population in 2011 was 1,00,000 having a density of 460 persons/Km² and



projected to be 24,90,000 persons by 2050 reaching a density of 11475 persons/Km². Proportionately, the requirement of land also grows for both urbanization and economic development, but the extent of land with government is not going to change unless it is diverted from the existing forest areas in CRDA region. Hence, Government of Andhra Pradesh is making attempt to divert forest land to meet its growing urbanization and developmental needs.

(3) Encroachments in Krishna Division

An extent of area of 6441.92 Ha. of forest land is under encroachment in Krishna Division, which is an indicative of the pressure on land and which is bound to intensify during the coming years with increasing urbanization. Therefore, the strategy of taking away the plains for diversion and maintaining hilly slopes under greenery is preferred option for the local administration (ref – Annexure – II – Forest Department).

(ii) The E.C. for CRDA

The E.C. was obtained from the SEIAA of Andhra Pradesh. At present, a court case in NGT is going on.

(iii) The following forest blocks were inspected by the undersigned along with the PCCF (HoFF), Govt. of Andhra Pradesh: -

Sl. No.	Block	Area proposed for diversion (Ha)	Total forest area in the block (Ha)	Remarks
KRISHNA DIVISION				
1.	Kotturu	194.76	3444.92	Poor vegetation. Bordering R.F. boundary
2.	Kondapally	890.43 (three bits)	9137.19	Good vegetation. If diverted, impacts the overall R.F.
	(i) Trilochanapuram	354.96		Good vegetation
	(ii) Aruladoddi	300.87		Good vegetation
3.	Katrenipadu	1378.36	2738.13	Eucalyptus plantations and mixed vegetation. Remaining area is under encroachment
4.	Survaram	703.83	736.53	Scrub forest
5.	Vattigudipadu	163.43	202.34	Eucalyptus old

				plantation and mixed vegetation
	GUNTUR DIVISION			
1.	Kondaveedu	873.81	5202.30	Twenty five Eucalyptus plantations and other area with mixed vegetation
2.	Nidumukkala	231.33	261.99	Plantations of eucalyptus and mixed vegetation
	TOTAL	4435.95		

As per the Champion & Seth Classification, the reserve forests of Krishna Division and Guntur Division are mostly of types (a) "Southern Tropical Secondary Dry Deciduous Forests (5A/C3); (b) Dry Deciduous Scrub Forest (5A/DS1); (c) Southern Thorn Forest (6A/C1); (d) Tropical Evergreen Scrub Forest (7C1/DS1); and (e) Dry Scrub Forest (6A/C3).

The floristic composition

The species found are *Lanea coromandelica*, *Chloroxylon swietenia*, *Dalbergia paniculata*, *Acacia sundra*, *Diospyros melanoxylon*, *Azadirachta indica*, *Emblica officinalis*, *Cassia fistula*, *Strychnos nux-vomica*, *Briedelia retusa*, *Bambusa arundinacea*, *Dendrocalamus strictus*, *Albizia amara*, *Bauhinia racemosa*, *Zizyphus oenoplia*, *Phoenix acaulis*, *Cymbopogon coloratus*, *Aristida setacea*, *Chloris barbata*, etc.

Fauna

Panthers (*Panthera pardus*), Jungle cat (*Felis chaus*) with an occasional Bear (*Melursus ursinus*) or Hyena (*Hyaena striata*). Herds of small deer still exist. The Hare (*nigricollis*), Rabbits (*Oryctolugus cuniculus*), Squirrels (*Funambulus palmarum*), Porcupines (*Hystrix indica*), Monkeys (*Macaca radiata*), Langurs (*Presbytis entellus*), Mongoose (*Herpestes edwardsii*) and Bats are the other Mammalian wild fauna found in all the regions. In the upland nearby forests and hillocks, the Peafowl, the Partridge (*Francolinus sp.*), the Quail (*Coturnix sp.*) and Jungle fowl (*Gallus sp.*) doves are very common. Near large water tanks Flamingos, Pelicans, Duck, Herons etc are numerous. Among the Reptiles, Cobra (*Naja naja*), Kraits (*Bungarus sp.*) and Russels Viper (*Vipera russelli*) are important poisonous snakes apart from water snake, rat snake and tree snake.

The Eastern Ghats and the Importance

Eastern Ghats are a discontinuous range of mountains unlike the Western Ghats. The scattered ranges have strong connectivity in terms of flora and fauna. They are eroded and disconnected by the four major rivers, known as the Godavari, Krishna, Kaveri and

Mahanadi. But, it can be observed that the patch connectivity at Vijayawada region is further weakened due to human interventions to cope with urbanization and industrialization. Perforation of the landscape occur when some of the natural habitats are converted into industries or other modified land uses. It further leads to fragmentation and attrition. Therefore, ecological patch connectivity is very important. Efforts should be to develop ecological patch connectivity to scattered Eastern Ghats, especially in the Krishna-Guntur region, which connects the Nallamala hills through Kondapalli hill towards southern side and to the Papikondalu at the northern side of Eastern Ghats. These corridors may even support environmental conservation and function as lung spaces.

The western outskirts of Vijayawada and southern side of Eastern Ghats lies the Kondapalli reserve forest, spread over 121.5 sq.km. The forest though a deserted cover of vegetation, provides supporting ecology to Vijayawada as a “Green Lung”. This Kondapalli hill is home to leopards, jackals, wild boar, wolves, etc. and it produces a soft wood, which is used in the manufacture of Kondapalli toys. It connects Nallamala hills in the south and Papikondalu in the northern side but with weak linkage. However small hillocks of Vijayawada region can integrate as patch connectivity to the entire landscape.

In Krishna Division, the combination of climatic and edaphic factors and the very high grazing incidence have made the land incapable of producing anything, but, forests of a scrub type varying in density depending on other local factors. The scrub type is further degraded into marginal forests by the impact of man and his bovine associates (ref – Working Plan). The forests in Guntur Division adjoining Krishna Division are also more or less similar condition. The inspection carried out in certain blocks confirmed the same. But, exceptionally, the Kondapally forests in the famous Kondapally range is of good vegetation and relatively less disturbed. These Kondapally forests with overall forest area of 9137.19 Ha. act as lungs for the Vijayawada people with lot of historical associations and should not be disturbed. As explained earlier, the “Kondapally Toys” using the soft wood from the tree “*Givotia rotteleformis*” mainly available in these forests has obtained the Geographical Indicator (GI) certification also.

Therefore, it is suggested that as the matter of policy, even if other forests in the blocks identified above are to be diverted for the CRDA, the area of 890.43 Ha. (out of 9137.19 Ha.) of Kondapally Forest Block in Krishna Division should not be allowed to be diverted



and disturbed. Besides, as a matter of strategy, the hill slopes that are proposed to be retained have to be improved by a separate scheme by the State Government, which should result into improved vegetation and water conservation. This would in longer run enhance the ecological patch connectivity in the area.

CA areas identified

The Dy. CF has inspected certain areas identified in Prakasam District. In Prakasam District, under two Divisions, i.e., Giddaluru and Markapur, the user agency has identified 3829 Ha. and in Kadapa District, the user agency has identified 9530 Ha. in Proddutur and Kapapa Divisions. The DFOs have certified the site suitability. As per the report of Dy. CF, the areas in Prakasam District appear to be recalcitrant and red gravelly soils and requires specialized site specific treatment. The CA areas identified in Kadapa District are not inspected. The advantage of these lands in Kadapa Division and Proddutur Divisions are, it appears that, these blocks fall in corridors in between Nallamallai and Seshacham hill ranges, where wildlife potential is immense (ref – Annexure – IV – Forest Department). But the soil quality may be as bad as in Prakasam District, which are mostly red soil with boulders and may require specialized treatment.

The Compensatory Afforestation.

Though the non-forest land for compensatory afforestation is identified and though the funds are committed by the Government of Andhra Pradesh, the actual afforestation is going to be difficult given the experience in the “Polavaram Irrigation Project” in Andhra Pradesh. In the Polavaram project, there is a huge backlog in the CA front and the successive forest officers keep on disagreeing with the earlier CA scheme resulting in to protracted correspondence. Therefore, unless strong commitment from the Government of Andhra Pradesh is obtained for time bound completion of CA activities in the event of project approval and unless detailed site specific treatment plans with clear financial outlays are prepared and monitored from time to time, the compensatory afforestation would not be successful, thereby defeating the very purpose of compensation.

Further it is also submitted before the FAC in its meeting on 03rd May 2016 as below:

There has been significant interest attached with the proposal including number of meetings at the highest level, Parliament Questions D.O Letters and other forms of correspondence. Even now the Govt of Andhra Pradesh is closely following the outcome of the present proposal. With respect to the present proposal some observations are placed as below:



1. **The proposal does not have a State Serial No as yet.**
2. **No purpose wise break up of land is given**
3. **No Compensatory Afforestation Scheme is prepared and placed.**
4. **Large discrepancies in FRA certificates and in most cases Gram Sabha resolutions are either not provided at all or translated copies not provided.**
5. **Non-Forest Land required for this Project* : Mentioned as 0 Ha.**

This needs to be relooked into as the forest areas are in several blocks apart from each other and would be interspersed with non forest area. No indication of any attempt to use non forest area is seen in the proposal.

6. **Details of proposal seeking prior approval of Central Government under the Act for diversion of forest land for the Project already submitted in the past.**

It has been stated as No, not submitted in the past.

This is not factually correct as an application for diversion of 19256.8 Ha of forest land for the same project was made in September 2015.

7. **Justification for locating the Project in forest land and details of alternates examined:** Enclosed as ANNEXURE to each Block.

The justification is rather weak. A justification given for one of the block is reproduced below for reference

ANNEXURE-II

JUSTIFICATION FOR LOCATING THE PROJECT IN VENKATAYAPALEM EXTN-V FOREST AREA AND DETAILS OF ALTERNATIVES EXAMINED

Andhra Pradesh Reorganisation Act, 2014 for bifurcation of Andhra Pradesh received the Hon'ble President of India's assent on 01st March 2014. The "appointed day" for the new States' formation was 02nd June 2014. As per the section 94(1) of the Andhra Pradesh Reorganisation Act, 2014, the Central Government shall take appropriate measures to promote industrialisation and economic growth in the newly formed state. The Andhra Pradesh government has decided to build the state's capital at Amaravati in an area of 217.23 Sq Km in Thullur, Tadepalli and Mangalagiri mandals of Guntur district. The Capital Region is proposed in an area of 8680 SqKm



around the Capital city. For promoting and securing the planned development of the Capital Region and to create future economic drivers for the Capital Region, the project is proposed to be located in the degraded forest lands available within the Capital Region area, since the area is strategically located in the identified growth corridors of the Capital Region.

There is no land bank available with the District Administration and as the Land acquisition process of alternative rytwari/private patta lands requires considerable time for examining the aspects of food security and the same involves huge burden on the exchequer of the State. Further taking up rehabilitation & resettlement activities not only to the project displaced families but also to project affected families (land owners/tenants/agricultural labourers) losing livelihood by virtue of acquisition of land is highly time consuming and laborious task as per the norms and guidelines of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

The APCRDA pooled up an area of 34,500 acres from the farmers of near by Capital city. All these lands are black cotton soils with rich population density of 479 per Sq Km. The APCRDA examined the possibility of establishing industries in this pooled area. Whereas due to the nature of industrial resultants, in view of the health and hygiene problems the possibility of locating the industries in such high populated areas is not considered.

The state is newly created and there are no industrial zones established previously in this area. The perennial river of Krishna is passing adjoining to the new capital city. Hence locating industries on the river banks and adjoining areas is also examined but not considered as the river is the main source of drinking water for the people of the new capital.

All the major institutes and research centres of both central and state government are allotted to the bifurcated state of Telangana. There is urgent need to establish these institutions including creation of new universities are very much essential. Hence the APCRDA examined revenue hillocks of **Rajupalem, Hasanbanda and Peddapalem**, but due to encroachments and steep hills failed to identify any areas, which is more than 100 acres. Hence the forest block Venkatayapalem Extn-V is identified for



creation of Institutions & Industries, which is adjacent to Atchampet town in Guntur district, as there is no alternative left to the APCRDA.

After exhausting all alternative lands mentioned above in the unavoidable circumstances, the degraded forest land in Venkatayapalem Extn-V forest block is identified for the purpose of the project for creating economic growth in the Capital Region.

Commissioner,
APCRDA, Vijayawada.

The justification is more of *fait accompli* as the area for building the capital was already determined. However even after this forest land was consideredas the *Land acquisition process of alternative rytwari/private patta lands requires considerable time for examining the aspects of food security and the same involves huge burden on the exchequer of the State. Further taking up rehabilitation & resettlement activities not only to the project displaced families but also to project affected families (land owners/tenants/agricultural labourers) losing livelihood by virtue of acquisition of land is highly time consuming and laborious task as per the norms and guidelines of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.* It would not be therefore completely wrong to assume that forest land is probably being chosen because of the 'ease' in diversion

8. Whether a copy of map indicating location of alternative examined is provided* :

Yes enclosed to each Block.

The alternatives examined as given for one block is reproduced below

All the major institutes and research centres of both central and state government are allotted to the bifurcated state of Telangana. There is urgent need to establish these institutions including creation of new universities are very much essential. Hence the APCRDA examined revenue hillocks of **Rajupalem, Hasanbanda and Peddapalem**, but due to encroachments and steep hills failed to identify any areas, which is more than 100 acres. Hence the forest block Venkatayapalem Extn-V is identified for creation of Institutions &



Industries, which is adjacent to Atchampet town in Guntur district, as there is no alternative left to the APCRDA.

After exhausting all alternative lands mentioned above in the unavoidable circumstances, the degraded forest land in Venkatayapalem Extn-V forest block is identified for the purpose of the project for creating economic growth in the Capital Region.

In this case it is seen that encroachment is a reason given for not considering a piece of land. It would only be safe to assume the encroachments would assume permanent nature once 'development' in the surroundings happen.

9. Details of Cost-Benefit analysis for the Project : No Cost Benefit Analysis is given

10. Whether the Project requires Cost-Benefit analysis ?* :

In this regard the guidelines under the Forest Conservation Act, 1980 as reproduced below may be kindly seen.

S. No.	Nature of proposal	Applicable /not applicable	Remarks
1.	All categories of proposals involving forest land up to 20 ha in plains and up to 5 ha. In hills	Not Applicable	These proposals are to be considered on case by case basis and value judgment.
2.	Proposal for defence installation purposes and oil prospecting (prospecting only)	Not Applicable	In view of National Priority accorded to these sectors, the proposals would be critically assessed to help ascertain that the utmost minimum forest land above is diverted for non-forest use.
3.	Habitation, establishment of industrial units, tourist lodges/complex and other	Not Applicable	These activities being detrimental to protection and conservation of forest, as a

	building construction		matter of policy, such proposals would be rarely entertained.
4.	All other proposals involving forest land more than 20 ha in plains and more than 5 ha in hills including roads, transmission lines, minor, medium and major irrigation projects, hydel projects mining activity, railway lines, location specific installations, like micro-wave stations, auto repeater centers, TV. Towers etc.	Applicable	These are cases where a cost – benefit analysis is necessary to determine when diverting the forest land to non-forest use is in the overall public interests.

As no plan is submitted it would be difficult to comment on the same. However the area involved for diversion is more than 20 ha and would therefore require Cost Benefit Analysis.

11. Enclose the Following Documentary Proofs for the CA Land:

(a): Ownership Proof for Each Survey No.*

(Adangal/1B of the Sy. No. And extent signed by the Tahsildar in original):

It has been claimed as Enclosed for each village, but same is not seen with the proposal.

(b): Under taking to Transfer and mutate the non forest land in favour of Forest Department by Competent authority *:

It has been claimed to be Enclosed for each village, but the same is not seen with the proposal. Further it is also probable that some lands are entered as forest in Revenue records.

(c): Certificate of Non Encumbrance on CA Land from Competent Authority:

It has been claimed to be Enclosed for each village, but the same is not seen with the proposal.

It was also presented before the FAC that the moot issue with the proposal still remains i.e No component wise break up of activities proposed over the land proposed for diversion is given. Purpose wise break up is of particular significance in decision making as to whether to permit diversion of entire forest land sought to be diverted, or whether lesser extent can be utilized, or whether no forest land should be permitted for the activity at all. In the proposal activity to be taken up is mentioned as tourism, recreation, cultural activities, industries, institutions etc. The extent of these activities, their actual nature, impact on the surroundings etc is needed to take a learned decision. The only exemption made for the proposal, with the concurrence of the proposal was doing away the need to apply online as per the extant provisions.

Recommendation of FAC

The FAC after considering the above and hearing the User Agency at length including the request for exemption from providing land use plans and examining all correspondences with regard to the present proposal between the Ministry and the State Government observed that no case for exemption of submission of land use plans is available on record in the file. The FAC also recommended that State Government submit the all the requisite information as required including detailed land use plan for further examination along with the detailed Compensatory Afforestation Scheme and the complete compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as per the procedure stipulated, including Gram Sabha resolution copies in vernacular language and its authenticated English Translation. Further, the complete details of the litigation pending before the Hon'ble National Green Tribunal (Principal Bench) is also to be provided.



Agenda No. 1

No. 18-13/2015-FC

Sub: Diversion of 1024.44 ha of forest land in favour of Water Resource Department No. - II, Sagar for construction of Bina Joint Irrigation and Multipurpose Scheme in Sagar district in the State of Madhya Pradesh – regarding.

The FAC discussed the above proposal and after hearing the representatives of the user agency noted as below:-

1. The State Government of Madhya Pradesh vide letter no. F-3/77/2014/10-11/12/879 dated 27/03/2005 submitted the above mentioned proposal for seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980.
2. This Ministry vide its letter of even number dated 06.05.2015 requested the Regional Office, Bhopal to carry out the site inspection of the area proposed for diversion. The Regional Office vide their letter dated 15th July, 2015 submitted the site inspection report of the area.
3. The project has a catchment area of 1,109.84 sq km in Sagar District. The component of power generation in the project has also been kept with an installed capacity of 2x11 MW.
4. Name of Forest Divisions and Forest area involved:
South Sagar Forest Division-939.440 ha. North Sagar Forest Division-85.00 ha. Total -1024.44 ha.
5. Legal status:
Legal status as reported by the Regional Office, Bhopal in the SIR is as under:
Reserve Forest 570.450 ha
Protected Forest 453.980 ha
Total = 1024.44 ha.
6. Vegetation:
The forest mainly is Tropical Moist Deciduous. The density of forest is around 0.2 to 0.5 but the trees are of all age classes. Species of Tectonagrandis, Terminalia



tomentosa, Diospyros melanoxylon, Madhuca indica, Acacia eucalyptia, Terminalia arjuna, Phyllanthus emblica, etc.

7. Density: 0.2 to 0.5 (IV-B Category). Average density is 0.5.
8. No. of trees to be felled: South Sagar Forest Division – 110541 trees. North Sagar Forest Division - 2969 trees.
Total no. of trees to be felled – 1,13,510 Nos.
9. Environment clearance to the project has already been obtained by the project proponent on 4.06.2008.

10. Equivalent revenue land has been identified in North Sagar and South Sagar Forest Divisions in Sagar Districts for compensatory afforestation as per details given below:

South Sagar Forest Division – 257.26 ha.

North Sagar Forest Division – 767.18 ha.

Total - 1024.44 ha

The land identified for CA has been transferred in favour of the State Forest Department. A copy of the revenue records pertaining to the mutation of the said land have also been submitted by the State Government.

11. Total financial outlay for CA is Rs. 89,39,66,895/-.
12. Documentary evidences in support of settlements of rights under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been received.
13. **Site Inspection Report, Regional Office, Bhopal indicates:** Item wise breakup of the forest land proposed for diversion:

i.	Chakarpur Dam-	462.52 ha.
ii.	Madiya Dam-	130.98 ha.
iii.	Dehra dam	378.629 ha.
iv.	Tailrage channel-	16.00 ha.
v.	Canal-	10.00 ha.
vi.	Road-	26.30 ha

Total 102.44 ha.

14. Proposal involves construction of 02 (two) Power House.



15. 2957 families will be rehabilitated and resettled. 556 families are SC and 144 belong to ST.
16. As per CAT plan the total catchment area is 1784.14 sq.km. Total command area is 97747 ha.(70,000 ha. Rabi and 27,747 Kharif).
17. Benefit ratio: Benefit cost ratio is given by the user agency is as below:
At 5% interest rate to the cost : 2.75
At 10% interest rate to the cost:1.612.
18. Since dams are constructed at the sites only after the detailed study of site, rocks and submerged areas, the proposed sites of the dams are adequate as these are being proposed after looking into all possibilities.
19. Recommendation of Regional APCCF (Central):
- i. This proposal is aimed at irrigating 97747 ha. land, production of 32 MW hydro power,584 metric tonne fisheries production and developing Rahatgarh as tourism center. Two dams will be constructed on Bina River at Chakarpur and Madiya and one each at Dehra nala and Dhasanriver. Two hydro power houses will come up at Madiya and Dehra in Forest areas.
 - ii. Since forests at places are at the fringes of the proposed site to be submerged, it may be explored whether there is any scope to reduce the length and height of the Chakarpur Dam so as to save some forest areas.
 - iii. For generation of 22 MW hydel power a total of 7138 ha of land including 130.98 ha. forest land is proposed to be submerged. Therefore, feasibility of Madiya dam from environmental cost- benefit point of view may to be ascertained.
 - iv. Similarly, feasibility of construction of Dehra dam for generation of 10MW hydro power by way of submerging 378.629 ha. forest area and drawing water from Dhasan dam through canal and may be ascertained from environment cost-benefit point of view.
 - v. It is suggested that this project proposal may be implemented in a phased manner. Work on the project may be commenced with Chakarpur dam construction and depending upon its success, construction of other dams may be considered.



20. The proposal was examined by FAC in its meeting on 30.09.2015 after detail deliberations observed that the Regional Office had not submitted clear recommendations and therefore recommended that the State Government of Madhya Pradesh may be requested to submit their comments on the recommendations of the Regional Office, Bhopal. The state government shall submit their comments to the regional Office Bhopal who in turn shall forward the same to this ministry along with their comments/revised recommendations, if any.
21. The FAC in the above mentioned meeting also recommended that the State Government shall also be asked to submit following information / documents:-
- i. Technical approval of the project for construction of Bina Joint Irrigation and Multipurpose Scheme in Sagar district in the State of Madhya Pradesh.
 - ii. A report on sensitivity analysis of the project to arrive at the minimum possible diversion of the forest land.
 - iii. Complete compliance of the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 for all 24 villages falling in submergence zone.
 - iv. Report about the protected/ Archaeological/heritage site and the recommendation of Archaeological department
 - v. DGPS map with KML/ shape file of the area to be brought under Compensatory Afforestation.
 - vi. Discrepancy in the areas of Protected and Reserved Forests within the 2 divisions to be clarified.
22. Now, the Regional Office, Western Region, Bhopal vide letter No. 6-MPA06/2015-BHO/132 dated 13.04.2016 has submitted the following information/documents as sought by this Ministry's letter of even number dated 12th November 2015.

S. No.	Points raised by MoEF& CC	Reply submitted by RO
(i)	Technical approval of the project for construction of Bina Joint Irrigation and	In this regard the Regional Office informed that the detailed Project Report of Bina Complex Irrigation and Multipurpose Project has been



	<p>Multipurpose Scheme in Sagar district in the State of Madhya Pradesh.</p>	<p>prepared and submitted to Central Water Commission, New Delhi. Hydrology, Design Flood, Sedimentation. Irrigation Planning, Construction Methodology and. Equipment planning has been finalized. The relevant approval of above from Central Water Commission is available at Scrutiny of other aspects is under progress in different Directorates of Central Water Commission.</p> <p>Administrative approval of the project is accorded by the Government of Madhya Pradesh Water Resources Department vide his letter No. F-220/117/2010/M.P.S/31/2613 Bhopal Dated 30.10.2010 for Rs. 1514.577 crores. Copy of Administrative approval is available.</p>
(ii)	<p>A report on sensitivity analysis of the project to arrive at the minimum possible diversion of the forest land.</p>	<p>In this regard the Regional Office informed that the Irrigation Project are designed on the basis of availability of water /yield which gives quantum of water to store in the Dam available command area for optimum utilization of water. On this basis, the height and other parameters of the Dam are decided and finalized in Central Water Commission, New Delhi. The area capacity table for this purpose is available. If height of the Dam is lowered, then certainly the submergence of forest area will be reduced but optimum use of the water storage will be defeated and benefit cost ratio will be high and it leads to unfeasibility of the Dam. Three alternatives alignment of sites were examined and most suitable site (Alternative No. (A)) in which</p>



		<p>minimum forest land Area 1024.44 Ha. is affected as recommended by CCF Sagar. Site inspection of affected forest land of the project has been done by the CCF Sagar and DFO Sagar on 9-10-2014.</p>
(iii)	<p>Complete compliance of the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 for all 24 villages falling in submergence zone.</p>	<p>In this regard the Regional Office informed that the 24 villages mentioned in the submergence zone are due to typographical mistake actually only 12 villages mentioned in the FRA certificate are coming under submergence. Regarding Scheduled tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, A meetings of Block Level Committee & District Level Committee were conducted and accordingly Collector Sagar has issued FRA Certificate on 12-5-2014 for twelve villages which are affected under project. The certificate is being again enclosed with the case along with names of twelve villages affected.</p>
(iv)	<p>Report about the protected/ Archaeological/heritage site and the recommendation of Archaeological department</p>	<p>In this regard the Regional Office informed that at the time of submitting the forest land diversion case to MoEF New Delhi it was stated that letter of recommendation from the Directorate Archaeological / Heritage department, Bhopal regarding submergence area of the project will be submitted within three month. Now the letter of recommendation from the Directorate Archaeological / Heritage department, Bhopal has been issued vide his letter No./36/./2015.</p>



(v)	DGPS map with KML/ shape file of the area to be brought under Compensatory Afforestation.	In this regard the Regional Office informed that the Forest land affected in construction of dam, power house, canals and land for alternative Compensatory Afforestation has already been handed over to forest department vide Collector's Court order No./988/Re. Kle./14 sagar Dated 12/02/2014. DGPS map with KML/ shape file of the area in soft copy is attached.
(vi)	Discrepancy in the areas of Protected and Reserved Forests within the 2 divisions to be clarified.	In this regard the Regional Office informed that at the time of submitting the forest case from Govt. of M.P. to MoEF New Delhi, in part II of the case, due to typing mistake compartment No.567 is mentioned under reserve forest, while it is under protected forest. In Bina Complex Irrigation & Multipurpose Project total 1024.44 Ha. Forest area of both the forest divisions (Forest division South & North, agar) is affected. Under South Forest division Sagar, protected forest area 435.889 Ha. And reserved forest area 503.550 Ha. i.e. total forest area 939.439 Ha is affected. In North Forest Division Sagar, reserve forest area of 85.00 Ha is affected. The corrected copy of the Site Inspection Report for both the divisions is available in the file.

23. The FAC after hearing the project proponent and considering the reply furnished in response to observations of FAC made in its meeting on 30th September, 2015 pertaining to this proposal recommended Stage-I approval with the standard conditions and following special condition:-



1) The water shall be provided from the reservoir to the Forest Department for raising and maintenance of plantations and nurseries around the site whenever required, free of charge. The quantity and time of supply of water shall be as decided by the Forest Department.

AGENDA No. 2

F. No. 11-63/2016-FC

Sub: Proposal for opening and use of Rabindra Rangshala under the Ministry of Culture.

1. **The Rabindranath Tagore Centenary Committee** created a large Open Air Theatre named Rabindra Rangshala Complex (RRC) in the early 1960s. The theatre is situated on the Delhi Central Ridge covering 36.76 acres of land and it was used for conducting cultural events such as music, drama and dance. In pursuance of the decision taken by the then Department of Culture, Government of India, the Rabindra Rangshala complex was formally handed over by **North Central Zone Cultural Centre, Allahabad to Sangeet Natak Akademi (SNA) in April 1993. SNA did not organize its own programmes at the Rangshala but it had been renting out the stage and auditorium to various government agencies/private organizations for arranging their programmes.** The last programme was held as early as 1993- 94 and thereafter no programme was organized at the Rangshala.
2. In May 1996, all activities were stopped in the Delhi Ridge area where the Rangshala was situated, on the directions of the Supreme Court based on the affidavit and notification of the Government of National Capital Territory of Delhi vide. no F.10 (92)-1/PA/DCF/93 dated May 24, 1994 that declared the ridge as a Reserve Forests under section 40 of the Indian Forest Act. In the matter of M.C. Mehta Vs Union of India & others (I.A. No 18 of 1995 WP(C) No. 4677/85, page number 14), the Forest Settlement Officer stated in its affidavit that majority of the RRC consists of open areas and such type of construction was permissible in a district that time.
3. For resumption of cultural activities at Rabindra Rangshala, New Delhi, the Ministry of Culture (MoC) vide its letter No.4-8/2014-Akademi dt. 21 July, 2015 approached the



Ministry of Environment, Forest and Climate Change (MoEF& CC), where the MoEF& CC has advised the MoC vide its OM No.11-399/2015-FC dated 13th August, 2015 to take further direction from the Hon'ble Supreme Court of India.

4. The Hon'ble Supreme Court vide I.A.NOS.2722-2723 IN I.A. NO.18 in Writ Petition (s) (Civil) No (s). 4677/1985 dated 26.02.2016 in case of Rabindra/Ravindra Rangshala or Tagore Memorial has directed the Forest Advisory Committee under the MoEF&CC, New Delhi to submit the Environmental Impact Assessment report in respect of Rabindra a Rangshala, considering that the same is made functional in the upper ridge area, which admittedly as of today is a reserved forest area. Accordingly, the Indian Council of Forestry Research and Education (ICFRE) an autonomous body under MoEF&CC was asked to undertake the EIA study and submit the report within six weeks of time, after a joint meeting with the officials from Ministry of Culture, GoI; Chief Conservator of Forests (CCF) & Central Wild Life Warden (CWLW) Government of Delhi; Sangeet Natak Akademi (SNA); Representative from ICFRE and other officials from MoEF& CC held under the Chairmanship of Dr Anil Kumar, Additional Director General (FC) on 3rd March, 2016 at 5th floor, Jal Wing, Indra Paryavaran Bhawan, Jor Bagh, New Delhi. The same was communicated vide letter F. No. 4-8/2014-Akademi (Vol. II), Government of India, Ministry of Culture DATED 29.3.2016.

5. EIA:

The scope of EIA study by ICFRE includes:

- i. Assessment of the existing status of physico-chemical and biological environmental aspects in the study area.
- ii. Identification of potential impacts on various environmental components due to activities envisaged during construction/renovation and operational phases of the RRC.
- iii. Prediction of significant impacts on major environmental components.
- iv. Delineation of Environmental Management Plan (EMP) outlining measures to minimize adverse impacts during construction/renovation and operational phases of the proposed project.
- v. Formulation of environmental quality monitoring programs for construction/renovation and operational phases.



6. ENVIRONMENTAL IMPACT ASSESSMENT:

IMPACT ON LAND ENVIRONMENT AND MITIGATION MEASURES:

The impact assessment has been predicted to have environmental impacts on physical component i.e. land, air noise, water and biological component i.e. flora and fauna. The impacts on different environmental parameters due to this project are:-

- a) It is proposed to have rehabilitation and retrofitting work of existing structures of Rabindra Rangshala, as existing structures have not been used for a long lapse of time and not maintained either. Hence forth, leveling and excavation is not envisaged. Since removal of vegetation from renovation area is envisaged therefore it may affect the ecology of the area. The soil quality of the area may get disturbed if construction debris, are not managed properly.
- b) Mitigation Measures The land use changes have already taken place while construction in 1960, the up→ gradation will generate construction waste and land clearance will result in removal of vegetation.
- c) The important trees of native shall be uprooted and planted within RRC or enhanced for→ landscape restoration.
- d) The debris generated during renovation period should be kept under covered shed and→ should be regularly disposed at designated MCD sites with covered vehicles to avoid dust emission.
- e) Raw material in bulk should not be piled at renovation site.
- f) Restricting the excavation, leveling and other construction/renovation activities to the existing constructed structures.
- g) During the operation phase, the solid waste to be generated from the office staff, labour should be managed by segregation of waste for proper disposal or sold to authorized recyclers.

7. IMPACT ON AIR ENVIRONMENT & MITIGATION MEASURES:

Renovation Phase-

- i. The sources of air emissions during renovation phase will be due to site clearing, emission from vehicles used for transportation of man and material to the site and



from construction equipment. Air pollution due to the project will mainly involve dust (particulates) and minor concentrations of (SO₂, NO₂ and CO). These emissions are expected to have temporary adverse impact on ambient air quality of site.

- ii. Traffic at the site during renovation will be negligible as the vehicular deployment anticipated is:
 - a) Light Vehicle/Scooter/ motor cycle: 5 nos. / Day.
 - b) Water tanker: 1 no/ day.
 - c) Truck for Materials: 2 nos. Weekly.
 - d) During road work: 4 trucks per day for 5 day.
 - e) Transit mixer: 1 no weekly (for 2 months) and 1 no monthly (4 months).
- iii. The project is anticipated to be completed within 7 months after 4 months of planning, drawings, BOW and tendering along with one month for NDT test The prevailing soil surface particles within the project area shall have a tendency to become airborne by vehicular tyres once the area is disturbed during construction/renovation activities. This will result in dust emission in the area if proper control measures are not adopted. However this will be temporary and reversible in nature and restricted to small area for short duration. Proper upkeep and maintenance of vehicles, sprinkling of water on roads and construction site, providing sufficient vegetation etc. are some of the measures that would greatly reduce the impacts during the renovation phase.
- iv. Demolition & construction activities and unloading of raw material may lead to dust generation which has potential to impact the air quality. The area is surrounded by good vegetation cover which will help in settling of the dust at faster rate thereby reducing the impact significantly. Minimal usage of DG sets will be practiced due to availability of the electrical connection at site.

Operation Phase:-

- i. The main sources of Air Pollution in the proposed project will be plying of vehicles (visitors mainly) and D.G. sets that will be operated during power failure. Emission associated with these activities are dust (PM₁₀ & PM_{2.5}), SO₂ and NO_x which may impact the air quality.

Mitigation Measures:-



- i. The debris generated during renovation period should be kept under covered shed and it should be regularly disposed at designated MCD sites within covered vehicles.
- ii. Construction raw material should be transported in covered vehicles
- iii. Regular water sprinkling should be done on roads to suppress dust.
- iv. Organized Green areas within the project site should be developed
- v. Using DG sets only during power failure
- vi. DG set should have the provision of stack with appropriate height as per CPCB norms
- vii. All the vehicles coming at RRC site should be ensured to carry PUC certificates, if required a pilot study on vehicular emission may be conducted for better management in due course.

8. IMPACT DUE TO NOISE AND MITIGATION MEASURES:-

i. Renovation Phase:-

- a) Noise levels during renovation activities will be higher and may cause disturbance to near-by areas especially to wild fauna of ridge area but are for short term restructured to construction/renovation period. The general noise levels due to renovation activities may go sometime up to 80 dB (A) at the work sites in day time. The workers in general are likely to be exposed to an equivalent noise level of 75 - 80 dB (A) for which all statutory precautions as per the law will be implemented. Use of proper personal protective equipment shall further mitigate impact of noise to the workers. Construction/renovation activities should be restricted to day hours only.
- b) As per secondary data received from DPCC the Noise levels at nearby project site (Mandir Marg) during day time and night time (January-15 to December-15) are 66.9 (Max)- 55.2 (Min).
- c) Leq dB (A) and 67 (Max)- 47.7 (Min) Leq dB (A), respectively.

Operation Phase:-

Source of noise will be D G Sets, Music Systems and vehicular movement. Noise may be generated from these activities but as the events will not be organized on daily basis thus impact of noise will be insignificant and will be temporary in nature.

Mitigation Measures:-



The noise mitigation measures are suggested as under:-

- a. DG Sets shall be placed in acoustic room/enclosures.
- b. Proper ventilation system shall be provided to all part of the theatre.
- c. All operational vehicles will asked to go through regular maintenance and pollution
- d. Thick multi-layered greenbelt will be developed along project site
- e. Noise barriers shall be installed around the open theater.
- f. Timings of the events should be restricted to particular time frame to avoid activities in late night.

9. IMPACT ON WATER ENVIRONMENT AND MITIGATION MEASURES:-

i. Renovation Phase:-

- a) During renovation stage, total water requirement will be 8.5 KL/day for a period of seven months which will be provided by existing facility. Run off from the renovation site may be loaded with sediments which may impact the quality of near-by surface water body. During the renovation phase water will be required for curing and other construction/renovation activities.
- b) **Operation Phase** Since the theatre has a seating capacity of 8000 people; the water consumption during operation phase for the spectators along with other like performing artists, drivers of vehicle etc, 500 additional persons is anticipated. Therefore during operation phase, total water requirement for the project is 127.5 KLD @ of 15 Lts per seat per day (National Building Code, 2005).
- c) Sewage generated at the site should be managed so as not to pollute ground and surface water. Run-off from site should be collected, filtered and recharged to ground to prevent local flooding and pollution of surface water bodies. Waste water generated during operation phase will be treated in STP to be erected during commissioning of the theatre and treated water to be used for green belt development and landscaping.

ii. Mitigation Measures:-

- i. Curing to be carried out by spraying water.
- ii. Covering the curing structures with gunny bags to retain maximum moisture.
- iii. Curing to be done early morning or in evening hours.



- iv. Usage of Ready Mix Concrete (RMC) to reduce the consumption of water during construction/renovation.
- v. Storm water collection is at place at the site wherein the rain water is channelized through concrete channels leading to the performance stage. The overflow of this connecting chamber is further collected in 2 tanks outside the main theatre. The overflow from this tank was earlier discharged outside the premises. This discharge will be stopped and a rain water harvesting pit will be developed to recharge the ground water. Thus making this theatre a zero discharge arena.
- vi. Installation of sewage treatment plan after the existing soak pits for treatment of sewage water and the treated water utilization for greenbelt development and landscaping.
- vii. Installation of sewage treatment plan after the existing soak pits for treatment of sewage water and the treated water utilization for greenbelt development and landscaping.
- viii. Oil traps and de-silting chamber should be provided with Rain Water Harvesting pits.

10. IMPACT DUE TO SOLID WASTE GENERATION AND MITIGATION MANAGEMENT:-

i. **Renovation Phase**

- a) It is proposed to have rehabilitation and retrofitting work of existing structures of Rabindra Rangshala, as existing structures have not been used for a long lapse of time and not maintained either. Since removal of vegetation from renovation area is envisaged therefore it may contribute to waste. During renovation phase, solid waste such as construction debris and very small amount of oil & grease will be generated. Construction debris shall be utilised in road construction and site development activities. The quantum of mug / debris and waste from labour camp will be of the tune of 15Kg/day for 30 nos. of labour @ 0.5Kg/capita.

Operation Phase:-

The solid waste generated during the operation phase will be managed as per the regulatory requirement, thus will not create any negative impact on the



surrounding environment. In addition, following options will be adopted as given under:-

Mitigation Measures:-

- i. The waste generated during renovation work will be used in PCC work wherever possible.
- ii. Some of the waste shall be used for creating art work such as Murals and Sculptures. Total disposal of constructional waste will be around 20 trucks.
- iii. The debris generated during renovation period should be kept under covered shed and it should be regularly disposed at designated MCD sites within covered vehicles.
- iv. Solid Waste Generated from Theatre Complex population will be 3825 kg/day (Base of calculation @ 450 gm/person/day for residential population as per manual on norms & Standards for large construction projects issued by MoEF&CC, Govt. of India) for a floating mass of 8000 persons and 500 persons over and above to 8000 spectators as support staff of theatre, artists and drivers.
- v. Biodegradable & Non-Biodegradable waste should be segregated at source in accordance with MSW (M&H) Rules, 2000 and stored properly. The organic waste should be composted and utilized as manure plantation purpose and inorganic waste should be sold to authorized recyclers. Garbage should be collected on daily basis by authorized personals.
- vi. The collection, transportation, treatment and disposal of solid waste will be serviced by the Authorized Agency/ Contractor.

11. IMPACT ON BIOLOGICAL ENVIRONMENT AND MITIGATION MEASURES:-

Vegetation and wildlife communities are an integral part of any ecosystem and vary greatly among project locations. The issue of impacts on flora and fauna is much broader than a concern for individual specimens and must be considered in the larger context of biodiversity conservation.

Impact on Flora:-



- i. Proposed renovation activities involve fugitive dust, generation of waste materials, and impacts on water and air quality, which may affect vegetation. Construction activities during renovation often necessitate removal of plants located at the activity sites, including possible removal of trees and ground cover from stairs/paths and sitting area of amphitheatre.
- ii. A total 168 trees of 8 species that are supposed to be removed/cut can be divided in three regions of Ranghalai.e stairs (sitting arrangement) of amphitheater, right side and left side of amphitheater. Out of the total 13 trees (7 Cassia fistula, 5 Bombaxceiba and Holopteleaintegrifolia) that are found in the paths/stairs may require their removal or pruning. Other than the trees, some shrubs species like species of Bougainvillea and Jatropha etc., inside the amphitheater and stairs/path would require removal. Further plying of construction vehicle and labour force movement may also have impact on existing vegetation. To mitigate these impacts suggestive measure are as under:
 - iii. The area of vegetation disturbance should be limited. For example, heavy equipment should be kept on road surfaces to the extent possible.
 - iv. Renovation areas should be identified by and fenced with construction tape or some similar material prior to any renovation activity. The fencing defines the renovation zone and confines activity to the minimum area required for renovation.
 - v. Construction materials should be stored in place of devoid of vegetation..
 - vi. Disturbed areas should be restored to natural contours to the extent possible to reduce the potential for erosion and re-vegetated with indigenous plant species, or with plants previously removed from the renovation area whenever possible.
 - vii. Gravel and fill for construction or maintenance should be obtained from certified noxious weed-free sources. Subsequent to project completion, monitor for non-native plants and remove any invasive species be observed.
 - viii. Trees and other indigenous vegetation could be planted to improve wildlife habitat and restore functionality.
 - ix. In case of removal or cutting of tree species, plantation of 10 number relevant tree species against removal or cutting of one number of trees should be ensured.



- x. Also trees, plants should be identified for specific areas so that the plants survive in these conditions. Some common drought resistant species are given –(Drought resistant species)
- xi. Species- Family 1 Acacia catechu Fabaceae 2 Azadirachta indica Meliaceae 3 Butea monosperma Fabaceae 4 Cassia fistula Fabaceae 5 Eucalyptus tereticornis Myrtaceae 6 Ficus benghalensis Moraceae 7 Ficus religiosa Moraceae 8 Grewia tenax Tiliaceae 9 Holoptelea integrifolia Ulmaceae 10 Morus alba Moraceae 11 Pongamia pinnata Fabaceae 12 Prosopis juliflora Fabaceae 13 Salvadoria oleoides Salvadoraceae 14 Tamarindus indica Fabaceae.

Impact on wildlife:-

- i. **During the phase of renovation** - The movement and entry of labourers, personnel and heavy vehicles /machinery will add to the noise pollution and physical disturbance at the site. The likely impact will be most on small mammals and ground dwelling species of birds such as the Indian Peafowl and Grey Francolin besides other species of birds inhabiting the area that are likely to move away from renovation site until disturbance ceases.
- ii. **Operational phase-** Disturbance causing factors will be increased human activity during the events, movement and sound of vehicles for parking, flood lights, sound of the theatre, littering around the area, plastic pollution. However, this will be limited to the prime area of the event. If the intrusion by public into the forest/woodland area of the Rangshala takes place then frequent disturbance and damage to the vegetation will certainly cause the wildlife to leave the area permanently.

12. Mitigation Measures:-

- i. **During the phase of renovation-** The entry point, route and area of movement of humans and machinery should be marked/defined strictly restricted to the renovation site, while the surrounding should be curtained with Iron sheets or fence. No entry should be allowed into the woodland/forest area in the surrounding, until the renovation is complete. Renovation time frame and period should be defined. Alternate sources of water should be provided for wildlife in the woodland away from the renovation site.

- ii. **Operational phase-** The activity and movement area for the public should be defined, marked and be restricted to the event site. Surroundings should be curtailed/ fenced along with planting of small trees and bushes as physical barrier for sound and physical movement. Sound proofing be done in the auditorium and focus of lights in the stage and road be done to reduce its impact on the surroundings. Compensatory planting of flowering and fruiting trees for wildlife along with providing a water source be done inside the forest. Proper disposal point and plan and be formulated for plastic and eatables by the public. Holding of events be regulated and its frequency be checked by a governing authority. Proper budget be granted for maintenance and conservation of the natural environment around the Ranbindra Rangashala.

13. EMERGENCY PREPAREDNESS:-

Emergency preparedness provides the opportunity to plan, prepare and when needed enables a rational response in case of fatal accident/ mass casualty incidents (MCI). Renovation of existing RRC is for gathering public for cultural activities. Thus an emergency preparedness planning shall be done as safety precautions to avoid internal risk, stampede, etc.

14. Fire Safety:-

All the arrangements shall be made as per National Building Code Part-IV: 2005. FIRE safety is important as the RRC will be a gathering place. Thus the planning for fire safety should be addressed for both electrical Safety and Bomb Threat.

15. ENVIRONMENTAL MONITORING:-

The exact area proposed for labour camp, solid waste management, vegetation and other activity except the built area is not known. However, it is proposed that the renovation of the existing RRC will follow green building quality. It is recommended to ensure adequate care to follow the criteria and indicator to maintain the concept of green building. In addition, to monitor the air, noise and dust pollution and habitat enrichment, an amount of 5% of the total renovation project cost shall be allocated and a framework

for the identified parameters shall be made in consultation with the relevant department for implementation and regular monitoring.

The FAC discussed the EIA Report submitted by ICFRE and accorded its approval and decided to submit it before the Hon'ble Supreme Court through Learned Solicitor General of India in compliance of order in the matter of IA No. 2722-2723 in I.A. No. 18 in Writ Petition (Civil) No.(s)4677/1985 – M.C. Mehta versus Union of India other others.

Confirmed through email

(Dr. Mohammad Firoz Ahmed)
Member

Confirmed through email

(Ramesh K. Dave)
Member

Confirmed through email

(Chaitram Deochand Pawar)
Member

- absent.

(Dr. Chintamani Pandey)
Additional Commissioner
(NRM), Member

[Signature]

(D.K Sinha)
IGF(FC) & Member
Secretary

[Signature]

(Dr. Anil Kumar)
Addl. Director General of Forests
(FC)

[Signature]

(Dr. S.S. Negi)

Director General of Forests and Special Secretary & Chairman

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aigf fc

Sir Please find enclosed herewith the Draft Minutes of the FAC held on

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Ramesh Dave

My Dear Prashant R. I also give my consent to the amendments sugges

Chaitram Pawar

to Ramesh, aigf, Mohd, Anil, cmani1, Deepak, sharad, Harish, nisheeth,

नमस्ते

दि.3-५-१६ की हुई FAC बैठक के वृत्त ६-५-१६ ,९-५-१६ और १०-५-१६ को प्राप्त हुए.इस बैठक व

करता हूँ.

चैतराम पवार



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 sandeep



Ramesh Dave

My dear Sandeep I am travelling with a committee of GOI and so couldr



Ramesh Dave

to me

My dear Sandeep

I am enclosing a copy of the draft minutes. I have suggested some addit
pages:

page 42 para (17) 2 small corrections

page 50 para x

page 54 Recommendation 1

page 67 Recommendation 1

page 75 para (22) "under consideration" (space between the words

page 75 para (22) "the area" , delete ("ha")

page 78 last para ", OIL"

page 79 first para "OIL"

With these corrections, I give my consent to the minutes. You don't have

With best wishes

Ramesh K. Dave

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Sandeep Sharma, AIG/FCO
Account No. 1

E.No. E/16011/EC

Sub: Diversion of Rs.44 bn for construction of multipurpose port in Alibag Taluka, Rajgad district, Maharashtra by Rivas Port Ltd. - regarding.

The above mentioned proposal was considered by the FAC in its meeting held on 3.5.2016 and the FAC, after examination of the proposal and discussion with user agency, observed as below:

1. This relates to diversion of Rs.44 bn for construction of multipurpose port in Alibag Taluka, District of Maharashtra by Rivas Port Ltd.

W FAC 3.5.2016 proc

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sandeep sharma

Ma

sir the corrected copy of proceeding is forwarded for your approval please t...

sandeep sharma <sandeepbhangrotu@gmail.com>
to Deepak, Anil, M, aigf, c.mani, pawar.chaitram1

May 10 (2 days)



M Firoz Ahmed, PhD

10:48 PM (15 hours)

to me, Deepak, Anil, aigf, c.mani, pawar.chaitram1

Dear Sir,

I approve this version of the minutes attached to the trailing email.

Firoz

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Facebook <http://www.facebook.com/mfirozahmed>

Blogs <http://firoz-aaranvak.blogspot.com/>

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sandeep sharma

M

Sirs Please find the draft proceeding of FAC Meeting held on 03.05.2016. this ...



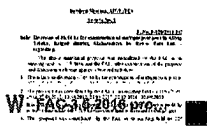
Ramesh Dave

May 9 (3 days)

to me, Deepak, aigf, c.mani, Anil, M, nisheth, pawar.chaitram1

My dear Sandeep

I am attaching the minutes of the above meeting with my comments shown in the document. In addition to the comments marked in the document slight change in the recommendation for Agenda Item No. 1, which is now shown in red in the document. With these observations and suggestions consent to the minutes.



M Firoz Ahmed, PhD

May 10 (2 days)

to Ramesh, me, Deepak, aigf, c.mani, Anil, nisheth, pawar.chaitram1

Dear Sir,

I have been travelling so taken the advantage of the detailed comments of Dave Sir to add my comment on the minutes.

Please find that attachment with this email and I shall be happy give more inputs if required.

Firoz

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aigf fc <aigfcsection@gmail.com>

FAC Draft Minutes

12 messages

aigf fc <aigfcsection@gmail.com>

9 May 2016 at 18:06

To: Ramesh Dave <rameshdave0811@gmail.com>, Mohd Firoz Ahmed <firoz@aaranyak.org>, pawar.chaitram1@gmail.com, "Dr. Anil Kumar" <anil55ifs@gmail.com>, cmani1@hotmail.com, Deepak Sinha <dksinha87@gmail.com>, sharad negi <sharadnegi1957@gmail.com>, harishcc@yahoo.com, nisheeth saxena <nisheethsaxena3@gmail.com>, sandeepbhangrotu@gmail.com, rkumar5270@yahoo.co.in

Sir

Please find enclosed herewith the Draft Minutes of the FAC held on 3rd May 2016, in respect of the undersigned for suggestions/comments/corrections/approval please

**FAC 3 MAY.doc**

473K

M Firoz Ahmed, PhD <firoz@aaranyak.org>

10 May 2016 at 13:43

To: aigf fc <aigfcsection@gmail.com>, Ramesh Dave <rameshdave0811@gmail.com>, pawar.chaitram1@gmail.com, "Dr. Anil Kumar" <anil55ifs@gmail.com>, cmani1@hotmail.com, Deepak Sinha <dksinha87@gmail.com>, sharad negi <sharadnegi1957@gmail.com>, harishcc@yahoo.com, nisheeth saxena <nisheethsaxena3@gmail.com>, sandeepbhangrotu@gmail.com, rkumar5270@yahoo.co.in

Sir,

Please find attached my comments on the Minutes.

Thanks.

FirozPage <http://www.aaranyak.org/people/firozahmed.html>Facebook <http://www.facebook.com/mfirozahmed>Blogs <http://firoz-aaranyak.blogspot.com/>Twitter <http://twitter.com/firozahm>

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Thank you.

From: aigf fc [mailto:aigfcsection@gmail.com]**Sent:** 09 May 2016 18:07**To:** Ramesh Dave; Mohd Firoz Ahmed; pawar.chaitram1@gmail.com; Dr. Anil Kumar; cmani1@hotmail.com; Deepak Sinha; sharad negi; harishcc@yahoo.com; nisheeth saxena;

sandeepbhangrotu@gmail.com; rkumar5270@yahoo.co.in

Subject: FAC Draft Minutes

Sir

Please find enclosed herewith the Draft Minutes of the FAC held on 3rd May 2016, in respect of the undersigned for suggestions/comments/corrections/approval please



Minutes of FAC_20160503_RPAIG_MFA comments.docx

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aigf fc <aigfcsection@gmail.com>

11 May 2016 at 11:18

To: "M Firoz Ahmed, PhD" <firoz@aaranyak.org>

Cc: Ramesh Dave <rameshdave0811@gmail.com>, pawar.chaitram1@gmail.com, "Dr. Anil Kumar" <anil55ifs@gmail.com>, cmani1@hotmail.com, Deepak Sinha <dksinha87@gmail.com>, sharad negi <sharadnegi1957@gmail.com>, harishcc@yahoo.com, nisheth saxena <nisheethsaxena3@gmail.com>, sandeepbhangrotu@gmail.com, rkumar5270@yahoo.co.in

Dear Sir,

Please find modified draft minutes of FAC meeting held on 03/05/2016. Modifications/suggestions as made by Firoz sir and DGF &SS have been incorporated. Attention may also be paid to the recommendations wrt of Additional Agenda (Andhra Capital).

Suggestions/Comments/Corrections Solicited please

Regards

Rajagopal Prashant
AIGF (FC)

[Quoted text hidden]

aigf fc <aigfcsection@gmail.com>

11 May 2016 at 11:21

To: "M Firoz Ahmed, PhD" <firoz@aaranyak.org>

Cc: Ramesh Dave <rameshdave0811@gmail.com>, pawar.chaitram1@gmail.com, "Dr. Anil Kumar" <anil55ifs@gmail.com>, cmani1@hotmail.com, Deepak Sinha <dksinha87@gmail.com>, sharad negi <sharadnegi1957@gmail.com>, harishcc@yahoo.com, nisheth saxena <nisheethsaxena3@gmail.com>, sandeepbhangrotu@gmail.com, rkumar5270@yahoo.co.in

Dear Sir,

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Suggestions/Comments/Corrections Solicited please

Regards

Rajagopal Prashant

[Quoted text hidden]



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M Firoz Ahmed, PhD <firoz@aaranyak.org>

11 May 2016 at 22:54

To: aigf fc <aigfcsection@gmail.com>

Cc: Ramesh Dave <rameshdave0811@gmail.com>, pawar.chaitram1@gmail.com, "Dr. Anil Kumar" <anil55ifs@gmail.com>, cmani1@hotmail.com, Deepak Sinha <dksinha87@gmail.com>, sharad negi <sharadnegi1957@gmail.com>, harishcc@yahoo.com, nischeeth saxena <nischeethsaxena3@gmail.com>, sandeepbhangrotu@gmail.com, rkumar5270@yahoo.co.in

Dear Sir,

I approve this version of the minutes attached to the trailing email.

Firoz

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Thank you.

From: aigf fc [mailto:aigfcsection@gmail.com]

Sent: 11 May 2016 11:21

To: M Firoz Ahmed, PhD

Cc: Ramesh Dave; pawar.chaitram1@gmail.com; Dr. Anil Kumar; cmani1@hotmail.com; Deepak Sinha; sharad negi; harishcc@yahoo.com; nischeeth saxena; sandeepbhangrotu@gmail.com; rkumar5270@yahoo.co.in

Subject: Re: FAC Draft Minutes

[Quoted text hidden]

Ramesh Dave <rameshdave0811@gmail.com>

12 May 2016 at 08:24

To: aigf fc <aigfcsection@gmail.com>

My dear Prashant

I am travelling with a committee of GOI and so couldn't find time to go through your attachment. Give me just one more day. I will send it you by tomorrow.

Ramesh K. Dave

[Quoted text hidden]

aigf fc <aigfcsection@gmail.com>

12 May 2016 at 12:15

To: kl.vashist1@gmail.com

[Quoted text hidden]



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13 May 2016 at 14:57

Ramesh Dave <rameshdave0811@gmail.com>

To: aigf fc <aigfcsection@gmail.com>

Cc: Ramesh Dave <rameshdave0811@gmail.com>, Mohd Firoz Ahmed <firoz@aaranyak.org>, "pawar.chaitram1@gmail.com" <pawar.chaitram1@gmail.com>, "Dr. Anil Kumar" <anil55ifs@gmail.com>, cmani1@hotmail.com, Deepak Sinha <dksinha87@gmail.com>, sharad negi <sharadnegi1957@gmail.com>, Harish Choudhry <harishcc@yahoo.com>, nisheth saxena <nisheethsaxena3@gmail.com>, sandeep sharma <sandeepbhangrotu@gmail.com>, rkumar5270@yahoo.co.in

My dear Prashant R.

I am attaching the draft minutes with my comments shown in the documents.

Best wishes

Ramesh K. Dave

On Mon, May 9, 2016 at 6:06 PM, aigf fc <aigfcsection@gmail.com> wrote:

Sir

Please find enclosed herewith the Draft Minutes of the FAC held on 3rd May 2016, in respect of the undersigned for suggestions/comments/corrections/approval please

Best Wishes**Ramesh K. Dave**

Retd. Principal Chief Conservator of Forests

& Head of Forest Force

Bhopal, M.P., India**FAC 3 MAY.doc**

477K

Ramesh Dave <rameshdave0811@gmail.com>

13 May 2016 at 15:05

To: aigf fc <aigfcsection@gmail.com>

Cc: Ramesh Dave <rameshdave0811@gmail.com>, Mohd Firoz Ahmed <firoz@aaranyak.org>, "pawar.chaitram1@gmail.com" <pawar.chaitram1@gmail.com>, "Dr. Anil Kumar" <anil55ifs@gmail.com>, cmani1@hotmail.com, Deepak Sinha <dksinha87@gmail.com>, sharad negi <sharadnegi1957@gmail.com>, Harish Choudhry <harishcc@yahoo.com>, nisheth saxena <nisheethsaxena3@gmail.com>, sandeep sharma <sandeepbhangrotu@gmail.com>, rkumar5270@yahoo.co.in

My Dear Prashant R.

I also give my consent to the amendments suggested by Dr. Firoz and the DG, Forests.

Ramesh K. Dave

[Quoted text hidden]

sharad negi <sharadnegi1957@gmail.com>

13 May 2016 at 16:28

To: aigf fc <aigfcsection@gmail.com>

[Quoted text hidden]

**FAC 3 MAY.doc**

477K

Chaitram Pawar <pawar.chaitram1@gmail.com>

14 May 2016 at 13:57

To: Ramesh Dave <rameshdave0811@gmail.com>

Cc: aigf fc <aigfcsection@gmail.com>, Mohd Firoz Ahmed <firoz@aaranyak.org>, "Dr. Anil Kumar" <anil55ifs@gmail.com>, "cmani1@hotmail.com" <cmani1@hotmail.com>, Deepak Sinha <dksinha87@gmail.com>, sharad negi <sharadnegi1957@gmail.com>, Harish Choudhry <harishcc@yahoo.com>, nisheth saxena <nisheethsaxena3@gmail.com>, sandeep sharma <sandeepbhangrotu@gmail.com>, rkumar5270@yahoo.co.in

नमस्ते

दि. ३-५-१६ की हुई FAC बैठक के वृत्त ६-५-१६, ९-५-१६ और १०-५-१६ को प्राप्त हुए. इस बैठक वृत्त को इसपर आज तक हुए सभी सुझावोंके के साथ अनुमोदित करता हूँ.

चैतराम पवार

[Quoted text hidden]

sharad negi <sharadnegi1957@gmail.com>

14 May 2016 at 14:22

To: Deepak Sinha <dksinha87@gmail.com>, "Dr. Anil Kumar" <anil55ifs@gmail.com>, aigf fc <aigfcsection@gmail.com>

----- Forwarded message -----

From: **Chaitram Pawar** <pawar.chaitram1@gmail.com>

Date: Saturday, May 14, 2016

Subject: FAC Draft Minutes

[Quoted text hidden]

Minutes of the FAc Meeting held on 3rdMay 2016: Agenda AIGF (NS)

7 messages

nisheeth saxena <nisheethsaxena3@gmail.com> Fri, May 6, 2016 at 5:58 AM
To: Deepak Sinha <dksinha87@gmail.com>, "Dr. Anil Kumar" <anil55ifs@gmail.com>, sharad negi <sharadnegi@hotmail.com>, Ramesh Dave <rameshdave0811@gmail.com>, firoz@aaranyak.org, Chaitram Pawar <pawar.chaitram1@gmail.com>, cmani1@hotmail.com

Sir/s

Kindly find attached herewith the draft minutes of the Agenda items (Sr AIGF FC, NS) for your kind perusal and approval..

regards

Nisheeth Saxena
Sr AIGF (FC)

 **Minutes of FAC .docx 3rd May 2016.docx6th may.docx**
53K

Ramesh Dave <rameshdave0811@gmail.com> Fri, May 6, 2016 at 9:30 PM
To: nisheeth saxena <nisheethsaxena3@gmail.com>
Cc: Deepak Sinha <dksinha87@gmail.com>, "Dr. Anil Kumar" <anil55ifs@gmail.com>, sharad negi <sharadnegi@hotmail.com>, Ramesh Dave <rameshdave0811@gmail.com>, "firoz@aaranyak.org" <firoz@aaranyak.org>, Chaitram Pawar <pawar.chaitram1@gmail.com>, cmani1@hotmail.com

My dear Nisheeth

I am attaching the file along with my comments for corrections. With these corrections, I give my consent to the minutes.

[Quoted text hidden]

—
Best Wishes

Ramesh K. Dave

Retd. Principal Chief Conservator of Forests
& Head of Forest Force
Bhopal, M.P., India

 **Minutes of FAC .docx 3rd May 2016.docx6th may.docx**
60K

M Firoz Ahmed, PhD <firoz@aaranyak.org> Sun, May 8, 2016 at 8:42 AM
To: nisheeth saxena <nisheethsaxena3@gmail.com>
Cc: Deepak Sinha <dksinha87@gmail.com>, "Dr. Anil Kumar" <anil55ifs@gmail.com>, sharad negi <sharadnegi@hotmail.com>, Chaitram Pawar <pawar.chaitram1@gmail.com>, cmani1@hotmail.com, Ramesh Dave <rameshdave0811@gmail.com>

Dear Sir,

Please see my comment at the end of the first agenda item. I do not have any other comment on this.

Firoz

Page <http://www.aaranyak.org/people/firozahmed.html>

Facebook <http://www.facebook.com/mfirozahmed>

Blogs <http://firoz-aaranyak.blogspot.com/>

Twitter <http://twitter.com/firozahm>

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Thank you.

From: Ramesh Dave [mailto:rameshdave0811@gmail.com]

Sent: 07 May 2016 10:00

To: nisheeth saxena

Cc: Deepak Sinha; Dr. Anil Kumar; sharad negi; Ramesh Dave; firoz@aaranyak.org; Chaitram Pawar; cmani1@hotmail.com

Subject: Re: Minutes of the FAc Meeting held on 3rdMay 2016: Agenda AIGF (NS)

[Quoted text hidden]

M Firoz Ahmed, PhD <firoz@aaranyak.org>

Mon, May 9, 2016 at 12:45 AM

To: nisheeth saxena <nisheethsaxena3@gmail.com>

Cc: Deepak Sinha <dksinha87@gmail.com>, "Dr. Anil Kumar" <anil55ifs@gmail.com>, sharad negi <sharadnegi@hotmail.com>, Chaitram Pawar <pawar.chaitram1@gmail.com>, cmani1@hotmail.com, Ramesh Dave <rameshdave0811@gmail.com>

Sorry that I missed the attachment in my last email.

Firoz

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Thank you.