



Government of India
Ministry of Environment, Forest & Climate Change
North Eastern Regional Office
Law-U-Sib, Lumbatngen
Near MTC Workshop, Shillong-793021

Tel(0364)-253-7609,7340/7395/7278.
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No. 3-MG C 042/2016-SHI 234-35

29th April, 2019

Corrigendum

Sub:- Proposal for diversion of **10.055 ha** (original 14.138 ha) of deemed Private forest land for construction of an approach road and residential colony development at Umsoo-Mootang Jaintia Hills District, Meghalaya by Dalmia Cement (Bharat) Limited (formerly known as Adhunik Cement Limited)

Ref:- Letter No. 3-MG C 042/2016-SHI/ 217-18 dated 25.04.2019 of Regional Office, Shillong.

Madam,

With reference to the subject and letter cited above, I am directed to inform that the user agency name i.e. "M/s Adhunik Cement Limited" wherever mentioned in the letter mentioned under reference above may kindly be read as *Dalmia Cement (Bharat) Limited (formerly known as M/s Adhunik Cement Limited)*".

The inconvenience if caused is deeply regretted.

भवदीय,

(आर. एल. सांगा)/(R.L.Sanga)

वन उप महानिरीक्षक (केंद्रीय)

/Deputy Inspector General of Forests(C)

To

अतिरिक्त प्रमुख सचिव/ Addl. Chief Secretary,
मेघालय सरकार/Govt of Meghalaya,
वन और पर्यावरण विभाग/ Forests & Environment Department,
शिलांग/Shillong.

Copy to:

प्रधान मुख्य वन संरक्षक / Principal Chief Conservator of Forests & HoFF, मेघालय सरकार / Govt of Meghalaya, वन और पर्यावरण विभाग/ Forests & Environment Department, शिलांग/Shillong.

वन उप महानिरीक्षक (केंद्रीय)

/Deputy Inspector General of Forests(C)

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भारत सरकार
पर्यावरण , वन एवं जलवायु परिवर्तन मंत्रालय
पूर्वोत्तर क्षेत्रीय कार्यालय, शिलांग
लॉड सीब लुम्बतंगेन
एम् टी सी के पास ,शिलांग -७९३०२१
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No. 3-MG C 042/2016-SHI 217-18

25th April, 2019

To

अतिरिक्त प्रमुख सचिव/ Addl. Chief Secretary,
मेघालय सरकार/Govt of Meghalaya,
वन और पर्यावरण विभाग/ Forests & Environment Department,
शिलांग/Shillong.

Sub:- Proposal for diversion of **10.055 ha** (original 14.138 ha) of deemed Private forest land for construction of an approach road and residential colony development at Umsoo-Mootang Jaintia Hills District, Meghalaya by M/s Adhunik Cement Limited

Madam,

This has got reference to the State Govt letter No FOR.54/2016/481 dated 01.12.2017 and No FOR.54/2016/534 dated 22.11.2018 on the subject mentioned above, seeking prior approval of the Central Government in accordance with Section 2 of the FCA, 1980.

After careful consideration of the proposal of the State Government of Meghalaya by the Regional Empowered Committee in its meeting held on 18.02.2019 and its recommendation and approval of Ministry vide its letter 14-10/2019-ROHQ dated 01.04.2019, I am to inform that "**In Principle Approval**" is hereby granted under Section 2 of the FCA, 1980 for diversion of **10.055 ha** (original 14.138 ha) of deemed Private forest land for construction of an approach road and residential colony development at Umsoo-Mootang Jaintia Hills District, Meghalaya by M/s Adhunik Cement Limited subject to the following conditions:

- (i) The User Agency shall transfer the cost of compensatory afforestation identified over 10.055 ha in non forest land in Moulhoi, East Jantia Hills District to the Adhoc CAMPA through e-payment and inform this office through the State Forest Department.
- (ii) The State Govt shall charge the Net Present Value of the forest land diverted under this proposal from the User Agency as per the Judgment of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No.566 in WP (C) No.202/1995 and as per the guideline issued by this Ministry vide letter No. 5-3/2001-FC dated 05.02.2009 in this regard.
- (iii) The concerned Divisional Forest Officer shall prepare the scheme for raising avenue plantation on both side of the road and the cost for which shall be borne

- by the user agency. A copy of the scheme shall be submitted to Regional Office, Shillong.
- (iv) All the above funds received from the User Agency under the project shall be transferred to the Ad-hoc CAMPA Fund (CAF) in New SB Account No 520101263743604 of Corporation Bank, CGO Complex, Phase-I, Lodhi Road, New Delhi – 110 003.
 - (v) The User Agency shall bear and deposit the amount of the cost of demarcation of the land proposed for diversion directly to the concerned Divisional Forest Officer. The concerned Divisional Forest Officer shall demarcate the land proposed for diversion on the ground by erecting at least 4' high cement-concrete pillars duly numbered, forward and backward bearing and distance from pillar to pillar written on the pillars and DGPS co-ordinates to be inscribed on the pillars. The competent authority shall verify and issue a certificate to this effect. Photographs showing permanent boundary pillars with GPS co-ordinates to be submitted.
 - (vi) The charges for felling, logging and transportation of project affected trees should be collected from the User Agency at the rates approved by the State Govt and deposited with the DFO concerned for utilization immediately following the diversion of forest land.
 - (vii) The certificates for the payment in respect to Sl. No. (v) and (vi) shall be furnished to this office by the user agency.
 - (viii) Use of forest land after 2013 onwards (i.e. after identification of deemed forest land by the JIT) without prior approval of Central Government amounts to violation of Forest(Conservation) Act, 1980 and accordingly penal provisions on account of violation of the Act shall be levied in accordance with the guidelines dated 29th January 2018.
 - (ix) The JIT with regards to Adhunik Cement Limited, has assessed an area of 49.28 ha , out of 247.697 ha, as forest land. The State Government shall ensure that no non-forest activity is undertaken in the remaining 39.22 ha of forest without the approval of Central Government under FC Act, in case the same has not been obtained so far.
 - (x) There shall be no additional felling of tree for any further non-forestry purpose in the proposed area without forest clearance under Forest (Conservation) Act, 1980.
 - (xi) The revised proposal for diversion of 10.055 ha (original 14.138 ha) of deemed forest land be uploaded on Ministry's website in consultation with NIC, Delhi by State Govt as the reduced area (10.055 ha) is part of original proposed area (14.138 ha- online).
 - (xii) The non-forest land identified for compensatory afforestation shall be transferred and mutated in favour of State Forest Department. Thereafter, the same should be declared as RF/PF under the India Forest Act, 1927 as per Ministry's letter No. 8-84/2002-FC dated 3.02.2004.
 - (xiii) The User Agency shall obtain Environment Clearance as per the project provisions of the Environment (Protection) Act, 1986, if required under the said Act.
 - (xiv) No labour camp shall be established on the forest land.
 - (xv) The felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of State Forest Department Forest.

- (xvi) The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulders in forest land, if necessary.
- (xvii) Sufficient quantity of firewood, preferably the alternate fuel, shall be provided by the user agency to the labourers after purchasing the same from the State Forest Department or the Forest development Corporation or any other legal source of alternate fuel.
- (xviii) The State Government shall ensure that the User agency, provide proper drainage, retaining wall and stabilization of side slope.
- (xix) The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person.
- (xx) The lay out plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xxi) As per Ministry's letter No. 11-30/96-FC(Pt) dt. 14.9.2001, if the compliance of stipulated conditions is awaited from the State Govt for more than 5 (five) years, the in-principle approval would summarily be revoked considering that the user agency is no longer interested in the project.
- (xxii) All other clearance/NOCs under different applicable rules/regulations /local laws and under Forest Dwellers (Recognition of Forest Rights)Act, 2006 as required vide MoEF, New Delhi guideline No.11-9/1998-FC(pt) dated 03.08.2009 shall be complied with.

After receipt of the compliance report from the State Government on fulfillment of the conditions mentioned above, final approval will be issued in this regard. Formal transfer of forest land shall not be effected by the State Govt till final approval orders approving the diversion of forest land are issued by the Central Government.

This has the approval of Additional Director General of Forests (Central).

भवदीय,


25/1/19
(आर. एल. सांगा)/(R.L.Sanga)

वन उप महानिरीक्षक (केंद्रीय)

/Deputy Inspector General of Forests(C)

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प्रधान मुख्य वन संरक्षक / Principal Chief Conservator of Forests & HoFF, मेघालय सरकार
/ Govt of Meghalaya, वन और पर्यावरण विभाग/ Forests & Environment
Department, शिलांग/Shillong.


वन उप महानिरीक्षक (केंद्रीय)

/Deputy Inspector General of Forests(C)

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