

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

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Indira Paryavaran Bhawan,  
Jor Bag Road, Aliganj  
New Delhi - 110003.

Dated: 2<sup>nd</sup> March, 2021

To,  
The Principal Secretary (Forest),  
Department of Forest,  
Government of Uttarakhand,  
Dehradun.

**Sub: Proposal for seeking prior approval of the Central Government for non-forestry use of 190.0 ha of forest land for collection of minor mineral from Chandrabhaga River in favour of Uttarakhand Forest Development Corporation (UAFDC) (UAFDC) under Narendra Nagar Forest Division and District Dehradun, Uttarakhand -reg.**

Sir,

I am directed to refer to the Government of Uttarakhand's online Proposal No. FP/UL/MIN/46859/2020 dated 01.09.2020 and additional information submitted vide letter No. 1660/FP/UK/MIN/46859/2020 dated 17.12.2020 on the above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *'in-principle'/Stage-I approval* of the Central Government is hereby granted for non-forestry use of 190.0 ha of forest land for collection of minor mineral from Chandrabhaga River in favour of Uttarakhand Forest Development Corporation (UAFDC) under Narendra Nagar Forest Division and District Dehradun, Uttarakhand subject to fulfilment of the following conditions:

**A: Conditions which need to be complied prior with handing over of forest land by the State Forest Department and compliance is to be submitted prior to Stage-II approval:**

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The comments of National Mission on Clean Ganga on the above stated proposal shall be taken prior to Stage II approval;
- iii. The KML files of diverted area and CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage II approval;

**iv. Compensatory Afforestation:**

- a. Compensatory afforestation shall be taken up by the Forest Department over 380 ha. degraded forest land identified in Tehri Garhwal District of Uttarakhand in village Dangyu-2 (10 ha), Dangyu-2 (II)- (10 ha), Durogi-1 -(30 ha), Devparyag-2A (40 ha), Kanfulakhal (10 ha), Tungta - (20 ha), Barguru (5.0 ha), Khanana-2 (23.0 ha), Pathudi 02 - (12 ha), Gullargard-6 - (70 ha), Maroda-12 - (20 ha), Saur - (40 ha), Gullargard-3 - (20 ha), Lachmoli-1 (20.0 ha), Tyuna-1 (20.0 ha), Khansi - (20.0 ha) at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided;
- b. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- c. 25% of CA cost will be deposited extra by the user agency for soil and moisture conservation (SMC) activities on the CA land;

- d. User agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located in the area within 100 m. from outer perimeter of the mining lease. The plan for plantation and SMC activities will be prepared and submitted to MoEF &CC before Stage-II Clearance;

**v. Net Present Value (NPV):**

- a. The User Agency shall transfer the funds for the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 through online portal of CAMPA account of the State Concerned;
  - b. At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vi. User Agency should ensure that the Compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;
  - vii. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (parivesh.nic.in);
  - viii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
  - ix. The complete compliance report shall be uploaded on e-portal (parivesh.nic.in);

**B: Conditions which need to be complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:**

- i. State Government shall ensure that extraction of minor mineral (sand, stone and bajri) from the riverbed is carried out manually without use of heavy machinery;
- ii. The quantity of the extracted minor mineral shall be as per the recommendations in the study report on assessment of extractable riverbed material undertaken by Central Soil & Water Conservation Research & Training Institute, Dehradun, and the Sustainable Sand Mining Management Guidelines 2016, MoEF&CC as updated from time to time shall be followed;
- iii. Bamboo plantation shall be raised between the mining area in the riverbed and the nearby areas as appropriate to avoid soil erosion and also protect agriculture fields. The State government may coordinate to dovetail the schemes of Ministry of Agriculture and Farmers' Welfare, Government of India in this regard;
- iv. The sale proceeds from collection of minor minerals from forest land of Chandrabhaga river shall be used for protection/ conservation of forests;
- v. No fencing for protection of safety zone shall be done so as to allow hamper free movement of wildlife. The waterholes on the riverbank shall not be disturbed;
- vi. Extraction, removal and transportation of RBM will be allowed only during day-time. No movement of vehicles/ workers should take place in the night. A GIS-based MIS should be used for monitoring of entire process of collection and transportation of RBM;
- vii. The User Agency will construct suitable river training structures wherever required to avoid soil erosion and destruction of forest vegetation due to floods;
- viii. The User Agency will comply with the recommendations of Standing Committee of NBWL for wildlife mitigation measures;
- ix. Period of diversion of the said forest land under this approval shall be for a period 10 years and co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under;

- X. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- Xi. No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- Xii. The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates;
- Xiii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;
- Xiv. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- Xv. No damage to the flora and fauna of the adjoining area shall be caused;
- Xvi. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.
- Xvii. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- Xviii. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife; and
- xix. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

**Yours Sincerely,  
Sd/-**

**(Suneet Bhardwaj)**

**Assistant Inspector General of Forests**

**Copy to:**

1. The PCCF (HoFF), Government of Uttarakhand, Dehradun
2. The Regional Officer, MoEF&CC's Integrated Regional Office, Dehradun
3. The APCCF cum Nodal Officer (FCA), Government of Uttarakhand, Dehradun
4. User Agency.
5. Monitoring Cell, FC Division, MoEF&CC
6. Guard file