

**GOVERNMENT OF MEGHALAYA
OFFICE OF THE DIVISIONAL FOREST OFFICER (TERRITORIAL),
JAINTIA HILLS DIVISION, JOWAI.**

No. JH/GSC/2017-18/Pt.II/396/B/ 286

Dated- Jowai, the 12th May/2022.

From: The Divisional Forest Officer,
Jaintia Hills Territorial Division, Jowai.

To: ✓ M/s Goldstone Cement Limited,
Musiang Lamare,
East Jaintia Hills District.

Sub: *Proposal for diversion of 4.578 ha for construction of Approach Road to the cement Plant of M/s Goldstone Cement Limited at Musiang Lamare, East Jaintia Hills District, Meghalaya.*

Ref: 1.F.No.3-MGB 009/2017-SHI/3121-22 dated 29th November 2019.
2. No.MFG.16/50/Goldstone/4.578/20230 dated 27th May 2020.

With reference to the subject cited above, I am enclosing herewith copy of the Stage-I approval for the proposal "Diversion of 4.578 ha for construction of Approach Road to the Cement Plant of M/s Goldstone Cement Limited at Musiang Lamare, East Jaintia Hills District, Meghalaya which is self explanatory for your kind information and necessary action.

In this connection you are hereby strictly instructed to adhere the terms and conditions stipulated as follows:-

- (i) Legal status of the forest land shall remain unchanged.
User Agency to ensure the same and give an undertaking to DFO on the same.
- (ii) The Compensatory Afforestation shall be taken up by the Forest Department over 4,578 ha of equivalent non-forest land located at Moulhoi, East Jaintia Hills at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
To be performed by DFO (T) Jowai under CAMPA.
- (iii) The cost of compensatory Afforestation at the prevailing wage rates as per compensatory Afforestation, scheme and the cost of survey, demarcation and erection of permanent pillars on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

Compliance by the User Agency: The User Agency is hereby directed to pay an amount of Rs.53, 78,151.00 towards the Compensatory Afforestation Fund @ Rs. 956345.89/Ha. In addition to compensatory the User Agency required to pay an amount of Rs. 10, 00,000.00 for erection of watch tower and construction of camp hut cum store room for monitoring of plantation and keeping tools equipments

and other materials respectively. The same to be deposited to the Adhoc-CAMPA Account: The details of the Bank Account as follows:

Name: CAF Meghalaya State CAMPA; Name of the Bank: Corporation Bank;
Name of the Branch: CGO, Complex, Phase-I, Lodhi Road, New Delhi-3;
Account No: SB01025217; RTGS/IFSC Code: CORP000371.

Total Cost of survey, demarcation and erection of permanent pillars on the CA land is Rs. 96,000.00. (Rupees Ninety Six Thousand) only. The same may be deposited in the above mentioned Adhoc-CAMPA Account.

- (iv) The State Government shall charge the net Present Value (NPV) for the 4.578 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30.10.2022, 01.08.2003, 28.03.2008, 24.04.2008 and 09.05.2008 in IA No. 566 in WP(C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt-II) dated-18.09.2003, as well as letter No.5-2/2006 FC dated-03.10.2006 and 5-3/2007-FC dated-05.02.2009 in this regard.

Compliance by the User Agency: The User Agency is hereby directed to pay an amount of Rs.47,74,854.00(Rupees Forty Seven Lakh Seventy Four Thousand Eight Hundred Fifty Four) only towards the NPV (Net Present Value) @ Rs.10, 43,000/Ha. Name: CAF Meghalaya State CAMPA; Name of the Bank: Corporation Bank; Name of the Branch: CGO, Complex, Phase-I, Lodhi Road, New Delhi-3; Account No: SB01025217; RTGS/IFSC Code: CORP000371.

- (v) The additional amount of the NPV of the diverted forest land, if any, becoming due after finalizing of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the user Agency. The User Agency shall furnish an undertaking to this effect.

Undertaking to be submitted by the User Agency.

- (vi) The State Government shall ensure the payment of 5(five) times the NPV plus 12% simple interest till the deposit is made from the user agency as a penalty for use of forest land for non-forestry purpose without the forest clearance under Forest (Conservation) Act, 1980 as per the Ministry's letter F.No.11-42/2017-Fc dated-29.01.2018.

45361113.00

PENALTY.

- a) Principal Amount = $4.578 \times 10,43,000 \times 5 = 2,38,74,270.00$ (Rupees Three Crore Twenty Eight Lakh Eighty Five Thousand Three Hundred Seventy Six) only.
- b) Total Interest as on 1st May, 2022 = 2,67,39,182.00 (Rupees Two Crore Sixty Seven Lakh Thirty Nine Thousand One Hundred Eighty Two) only.
Total Penalty (PA + Interest) as on 1st May, 2022 = 5,06,13,452.00 (Five Crore Six Lakh Thirteen Thousand Four Hundred Fifty Two) only. The same may be deposited in the above mentioned Adhoc-CAMPA Account.

Note * Total Interest/Total Penalty varies on the actual date of final payment.

A table is enclosed (Appendix II) showing total penalty amount to be paid based on the actual date of date of payment (from current date till 30th June, 2022. The total penalty amount has to be recalculated based on the date of payment if it is done after the above mentioned date).


- (vii) 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 the Regional Office, Shillong.
Estimate Cost for Road Site Plantation of the Approach Road to the Cement Plant of M/s Goldstone Cement Limited at Musiang Lamare, East Jaintia Hills District. (Cost norms for road side plantation based as per Social Forestry Plantation Norms of Meghalaya) is Rs. 27, 93,024.00 (Rupees Twenty Seven Lakh Ninety Three Thousand Twenty Four) only. The same may be deposited in the above mentioned Adhoc-CAMPA Account.
- (viii) All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
To be ensured by User Agency and verified by the undersigned office.
- (ix) 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 GPS 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.
- (x) The user agency shall restrict the felling of trees to minimum number of the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
To be ensured by User Agency and certified by the undersigned office.
- (xi) The certified for the payment in respect of Sl. No. (ix) and (x) shall be furnished to this office by the user agency.
- (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-03.02.2004.

User Agency to provide Land Transfer Certificate and Mutation Certificate to the undersigned office.

- (xiii) Speed regulating signage will be erected along the road at regular intervals in the protected Areas/Forest Areas.
User Agency to ensure its implementation and certified by the undersigned office.
- (xiv) The user agency shall provide suitable under/over pass in Protected Area/Forest Area as per recommendation of CWLW/NBWL/FAC/REC, wherever applicable.
Not applicable.
- (xv) 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.
User Agency to give an undertaking on the same.
- (xvi) The user agency shall obtain Environment Clearance as per the project provisions of the Environment (Protection) Act, 1986, if required under the said Act. User
Agency to submit the Environment Clearance to the signed office.
- (xvii) No labour camp shall be established on the forest land.
User Agency to give an undertaking on the same.
- (xviii) The user agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulders in forest land, if necessary.
User Agency to give an undertaking on the same.
- (xix) Sufficient quantity of firewood, preferably the alternate fuel, shall be provided by the user agency to the laborers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
User Agency to give and undertaking on the same.
- (xx) The State Government shall ensure that the user agency provides proper drainage, remaining wall and stabilization of side slope.
To be ensured by User Agency and verified by the undersigned office.
- (xxi) 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 without approval of Govt. of India.
User Agency to give and undertaking on the same.
- (xxii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
(xxiii) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
User Agency to give an undertaking on the same.
- (xxiii) The period of diversion under this approval shall be con-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
To be ensured by User Agency and certified by the undersigned office.


- (xxiv) The violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF & VV Guideline F No. 11-42/2017-FC dated-29.01.2018.
User Agency to take note of the same.
- (xxv) As per ministry's letter No. 11-30/96-FC(Pt) dated-14.9.2001, if the compliance 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 interest in the project.
User Agency to take note on the same.
- (xxvi) All other clearance/NOCs under different applicable rules/regulations/local laws and under Forest Dwellers(Recognition of Forest Right) Act, 2006 as required vide MoEF, New Delhi guideline No. 11-9/1998-FC(pt) dated-03.08.2009 shall be complied with.
User Agency to give an under taking of the same.
- (xxvii) The compliance report shall be uploaded on-portal (<https://parivesh.nic.in/>).
Undersigned and the User Agency to ensure the same.

This is for your kind information and necessary action.


Divisional Forest Officer,
Jaintia Hills Territorial Division, Jowai.

APPENDIX – II

1	2
Interest as on 1 st May, 2022	If payment made on 30 th June, 2022
Penalty Amount = Rs.2,38,74,270.00	Penalty Amount = Rs.2,38,74,270.00
Interest 9years 4months = 2,67,39,182.00	Interest 9years 5months = 2,69,77,926.00
Total Penalty (PA + Interest) =5,06,13,452.00	Total Penalty (PA + Interest) =5,08,52,196.00


 Divisional Forest Officer,
 Jaintia Hills Territorial Division, Jowai.