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पूर्वाञ्चल क्षेत्रीय कार्यालय, शिलांग
लॉड सीब लुम्बतंगेन
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F.No. 3-MG B 027/2018-SHI 2596-97

14th October, 2019

सेवा मे,

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 6.55 hectare of deemed private forest land for Limestone Mining Project at Madan Pyrda, Chiehruphi Village in East Jaintia Hills District, Meghalaya of M/s Green Valley Industries Limited.

Sir,

This has got reference to the State Govt Meghalaya letter No. FOR.14/2017/340 dated 13.03.2018 and No. FOR.14/2017/544 dated 30.05.2019 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 30.04.2019 and its recommendation and subsequent approval of Ministry, New Delhi vide letter dated 04.09.2019, I am to inform that the Central Government hereby conveys its **"In Principle Approval"** for diversion of 6.55 hectare of deemed private forest land for Limestone Mining Project at Madan Pyrda, Chiehruphi Village in East Jaintia Hills District, Meghalaya of M/s Green Valley Industries Limited, subject to the following conditions:

- 1) The compensatory afforestation shall be taken up by the Forest Department over 6.55 ha in single patch equivalent non-forest land located at Nongumiang in West Khasi Hills district adjacent to Nongumiang Reserved Forest at the cost of the User Agency. As far as possible a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.
- 2) The non-forest land shall be transferred and mutated in favour of the State Forest Department.
- 3) 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

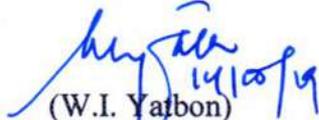
pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

- 4) The State Government shall charge the Net Present Value(NPV) for the 6.55 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 30/10/2002, 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.
- 5) The State Govt 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 4.92 ha 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.
- 6) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization 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.
- 7) 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/>).
- 8) 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.
- 9) The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 10) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 11) The User Agency shall obtain Environment Clearance as per the project provisions of the Environment (Protection) Act, 1986, if required under the said Act.
- 12) No labour camp shall be established on the forest land.
- 13) 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.
- 14) The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulders in forest land, if necessary.

- 15) 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.
- 16) The State Government shall ensure that the User agency, provide proper drainage, retaining wall and stabilization of side slope.
- 17) 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.
- 18) The lay out plan of the proposal shall not be changed without the prior approval of the Central Government.
- 19) 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.
- 20) 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.
- 21) 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.
- 22) The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in/>).

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

भवदीय,

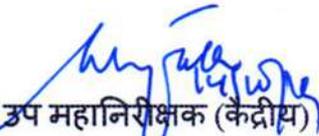

(W.I. Yarbon)

वन उप महानिरीक्षक (केंद्रीय)

/Deputy Inspector General of Forests(C)

Copy to:

- (i) 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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