Dalmia
Bharat Cement

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Date: 21/02/2020

To,
The Divisional Forest Officer,
Dima Hasao Forest Division (West)
Haflong, Assam.

Sub: Submission of Compliance Report of the conditions stipulated in the "In-Principal Approval / Stage-I Forest Clearance" for Forest diversion proposal of 425.50 Ha USF area near new Umrangso Village, Dima Hasao District, Assam for opencast mining of limestone in favour of M/s Calcom Cement India Limited.

Ref: In-Principal Approval by MoEF & CC vide letter F. No. 8-11/2019-FC dated 23.08.2019.

Dear Sir,

With reference to the subject cited above, submitting herewith the Compliance Report, along with the Annexures and documents mentioned therein, towards the conditions stipulated in the "In-Principal Approval / Stage-I Forest Clearance" conveyed by the Central Government vide above referred letter of MoEF&CC for your kind consideration and necessary action.

Therefore, you are requested to kindly do the needful for grant of Final Forest Clearance under the Forest (Conservation) Act, 1980 for the above mentioned project and obliged.

Thanking you,

Yours Sincerely,

for Calcom Cement India Limited

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Enclosed: Compliance Report along with its Annexures – 5 Sets.

Copy to:

1) The Chief Conservator of Forest & Nodal Officer (FC Act), Assam, O/o the PCCF & HoFF, Panjabari, Guwahati, Assam. – for kind information and necessary action.

2) The Chief Conservator of Forest, Dima Hasao District, Haflong, Assam - for kind information and necessary action.

Received
21/02/20
Divisional Forest Officer
Dima Hasao Forest Divn. (W)
Haflong

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Complaince Report of the Conditions of In-Principal Approval/ Stage-I Forest Clearance of 425.50 Ha of limestone mine in favour of Calcom Cement India Limited vide MoEF&CC's letter no. F.No.8-11/2019-FC dated 25th August, 2019.		
Srl No.	**Conditons**	**Compliance Status**
(i)	Legal status of the diverted forest land shall remain unchanged.	Calcom Cement India Limited agrees to this condition and an undertaking for the same is enclosed as ***Annexure-1.***
(ii)	**Compensatory afforestation:** Compensatory afforestation shall be raised over 425.5 ha. non forest land, as identified in Village Boro Langherang Village of Dima Hasao West Forest Division, Dima Hasao Distt., Assam in lieu of 425 .5 Ha. of forest land, within three years of Stage -II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency and at least 1000 plants per hectare shall be planted over identified nonforest land. If it is not possible to plant so many saplings in the area identified for CA, the balance saplings will be planted in any other forests as per prescriptions of approved working plan with provision for ten years on subsequent maintenance;	Compensatory Afforestation Scheme for 10 Years over 425.5 Ha non-forest land has been prepared where 2500 plants per ha will be planted within 3 years of Stage-II clearance. The full amount towards Compensatory Afforestation Scheme Rs. 11,86,77,213/- (Rupees Eleven Crore Eighty Six Lakh Seventy Seven Thousand Two Hundred Thirteen only) plus Overhead Cost for Compensatory Afforestation Rs. 5,93,38,607/- (Five Crore Ninety Three Lakh Thirty Eight Thousand Six Hundred Seven only) has been deposited in Ad-hoc CAMPA A/c No. 150615817426012 in Corporation Bank, Lodhi Complex Branch, (IFSC Code- CORP0000371) Phase-1, Lodhi Road, New Delhi-110003. Copy of the paid e-Challan is attached as ***Annexure -2.***
(iii)	**NPV:**	
a	The State Government shall charge the Net Present Value(NPV) for the 425.5 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	Calcom Cement India Limited has deposited Rs 32,54,32,420/- (Rupees Thirty Two Crores Fifty Four Lakh Thirty Two Thousand Four Hundred Twenty) against NPV for the 425.5 ha forest area to be diverted, in Ad-hoc CAMPA A/c No. 150615817426012 in Corporation Bank, Lodhi Complex Branch, (IFSC Code- CORP0000371) Phase-1, Lodhi Road, New Delhi-110003. Copy of the paid e-Challan is attached as ***Annexure -2***
b	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.	Calcom Cement India Limited agrees to this condition and an Undertaking for the same is enclosed as ***Annexure*** - **1**.
(iv)	**11 ha of moderately dense forest as identified by Regional office in its Site inspection report to be maintained as green belt. User agency shall submit KML/shape file of the proposed green belt area prior to Stage-II approval.**	Calcom Cement India Limited agrees to maintain 11 Ha of MDF area as green belt and an undertaking in this regard enclosed as ***Annexure-1*** . KML/shape file of the proposed green belt area in CD is enclosed as ***Annexure -3.***
(v)	**User agency shall submit detailled land use plan prior to Stage-II approval. In the present land use plan, 417.5 ha forest area has been proposed for mining activity.**	Land use plan of 417.5 Ha forest area is enclosed as ***Annexure -4***
(iv)	**No residential or labour colony shall be constructed over forest land.**	Calcom Cement India Limited agrees that that no residential or labour colony shall be constructed over forest land. An undertaking for the same is Enclosed as ***Annexure -1.***

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(vii)	The identified non-forest land for raising compensatory afforestation shall be transferred and mutated in the name of forest department and notified as RF /PF prior to Stage II approval.	The proposed non-forest land identified for raising Compensatory Afforestation, at Boro- Langherang Village in Dima Hasao District of Assam, has been transferred/Alloted, handed over and mutated in the name of the Forest Department of Assam by the North Cachar Hills Autonomous Council, Dima Hasao District, Haflong, the related documents/letters- No. Rev/S/4-Allot/2019-2020 Issue No. 1364-70 dated 24/09/2019, enclosed as ***Annexure -5,*** Letter No. REV/S/83/2019-2020, Issue No. 4076-79 dated 27/11/2019, enclosed as **Annexure -6,** Letter No. REV/S/4-Allot-Cal/2019-2020, Issue No. 4122-25 dated 29/11/2019, enclosed as **Annexure -7**. Environment and Forest Department, Government of Assam has also approved the proposal for Notification of CA land as Proposed Reserve Forest (PRF)/Reserve Forest (RF) vide its letter No. FRS.53/2019/114 dated 14/02/2020, the copy of the letter enclosed as ***Annexure -8.***
(viii)	The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo sheet of 1:50,000 scale;	Enclosed the Map of CA land depicted on Survey of India Topo Sheet of 1:50,000 Scale as ***Annexure -9.***
(ix)	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;	The Calcom Cement India Limited has deposited Rs. 11,86,77,213/- (Rupees Eleven Crore Eighty Six Lakh Seventy Seven Thousand Two Hundred Thirteen only) for CA Scheme and Rs. 5,93,38,607/- (Rupees Five Crore Ninety Three Lakh Thirty Eight Thousand Six Hundred Seven only) for Overhead Cost of CA towards full Cost of raising and maintaining the Compensatory Afforestation in Ad-hoc CAMPA A/c No. 150615817426012 in Corporation Bank, Lodhi Complex Branch, (IFSC Code- CORP0000371) Phase-1, Lodhi Road, New Delhi-110003. Copy of paid e-Challan is enclosed as ***Annexure -2***. The cost of raising and maintaining the Compensatory Afforestation has been calculated at the Current wage rate with provision for anticipated cost increased in subsequent years.
(x)	The User Agency shall transfer the funds for the Net Present Value (NPV) of the forest land diverted under this proposal, if not already paid, 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;	Calcom Cement India Limited has deposited Rs 32,54,32,420/- (Rupees Thirty Two Crores Fifty Four Lakh Thirty Two Thousand Four Hundred Twenty) against NPV through online portal of Ad-hoc CAMPA A/c No. 150615817426012 of Corporation Bank, Lodhi Complex Branch, (IFSC Code- CORP0000371) Phase-1, Lodhi Road, New Delhi-110003. Copy of the paid e-Challan is enclosed as **Annexure -2**.

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(xi)	All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (https://parivesh.nic.in/). Amount deposited through other mode will not be accepted as compliance of the Stage-1 clearance.	All funds i.e. for NPV for 425.5 Ha land of Rs 32,54,32,420/-, for CA of Rs. 11,86,77,213/-, for Overhead Cost of CA of Rs. 5,93,38,607/-, for Safety Zone Afforestation Scheme of Rs. 1,00,44,484/-, for Over Head Cost of Safety Zone Afforestation Scheme of Rs. 50,22,242/- i.e. **Total Rs.51,85,14,966/-** (Rupees Fifty One Crore Eighty Five Lakh Fourteen Thousand Nine Hundred Sixty Six only) has been deposited through e-portal (https://parivesh.nic.in/) in Ad-hoc CAMPA A/c No. 150615817426012 in Corporation Bank, Lodhi Complex Branch, (IFSC Code-CORP0000371) Phase-1, Lodhi Road, New Delhi-110003. Copy of the paid e-Challan is enclosed as ***Annexure-2.***
(xii)	The compliance report shall be uploaded on e-portal https://parivesh.nic. in/).	The compliance report has been uploaded on e-portal (*https://parivesh.nic.in/*).
(xiii)	Period of diversion of the said forest land under this approval shall be for a period coterminus with the period of the mining lease granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under;	Noted.
(xiv)	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;	The Expert Appraisal Committee has recommeded for grant of Enivornment Clearance subject to submission of Stage-I Forest Clearance. Stage-1 FC has been submitted to MoEF&CC on 26/08/2019 for grant of EC. Copy enclosed as ***Annexure-10*** .
(xv)	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;	The Complaince of FRA,2006 has been ensured. Certificate from the Competent Authority is enclosed as **Annexure -11.** This was already submitted alongwith Part -I for Stage-I Forest Clearance application.
(xvi)	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;	The Calcom Cement India Limited agrees to it and an undertaking for the same is enclosed as ***Annexure -1.***
(xvii)	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 co-ordinates;	Demarcation of diverted forest land, mining lease and safety zone, boundary has been done on ground by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS Co-ordinates. Enclosed the GPS Co-ordinate Statement as **Annexure-12**, and Photographs as ***Annexure -13*** .
(xviii)	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;	Calcom Cement India Limited agrees to it and an undertaking for the same is enclosed as ***Annexure -1*** .
(xix)	No damage to the flora and fauna of the adjoining area shall be caused;	Calcom Cement India Limited agrees to it and an undertaking for the same is enclosed as ***Annexure -1*** .
(xx)	The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;	Calcom Cement India Limited agrees to it and an undertaking for the same is enclosed as ***Annexure -1*** . CALCOM CEMENT INDIA Authorised Signatory

(xxi)	The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the concern Dy. Director General (Central) may direct that the mining activities shall remain suspended till such time, reclamation activities area satisfactorily executed;	Calcom Cement India Limited agrees to it and an undertaking for the same is enclosed as ***Annexure -1*** .
(xxii)	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.	Noted.
(xxiii)	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; and	Calcom Cement India Limited agrees to it and an undertaking for the same is enclosed as ***Annexure -1*** .
(xxiv)	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.	Calcom Cement India Limited agrees to it and an undertaking for the same is enclosed as ***Annexure -1*** .

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