

F. No. 8-61/ 1999-FC (pt-I)
Government of India
Ministry of Environment & Forests
(FC Division)

Jaiyavanan Bhawan,
CGO Complex,
Lodhi Road, New Delhi-110 003
Dated: 15th February, 2013

To,

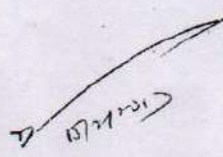
The Principal Secretary (Forests)
Forest and Revenue Department,
Government of Uttarakhand,
Dehradun

Sub: Proposal to obtain prior approval of the Central Government under the Forest (Conservation) Act, 1980, for collection of stone, boulders and other minor minerals from 254.00 hectares of forest land located in river bed of Kosi river in Nainital district of Uttarakhand by the Uttarakhand Forest Development Corporation Ltd.

Sir,

I am directed to refer to the Addl. Principal Chief Conservator of Forests & the Nodal Officer, Forest (Conservation) Act, 1980, Government of Uttarakhand's letter No. 128/1G-2757 (Naini) dated 19.07.2010 and No. 877/ 1G -2757 (Naini) dated 09.10.2012 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 said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act, in-principle approval for the said diversion was granted vide this Ministry's letter of even number dated 10.01.2013 subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that 'on the basis of the compliance report furnished by the Addl. Principal Chief Conservator of Forests & the Nodal Officer, Forest (Conservation) Act, 1980, Government of Uttarakhand vide letters No. 1632/1G-2757 (Naini) dated 15.01.2013, No. 1723/1G-2757 (Naini) dated 24.01.2013, No. 1745/1G-2757 (Naini) dated 29.01.2013 and No. 1825/ 1G - 2757 (Naini) dated 07.02.2013, approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for collection of stone, boulders and other minor minerals from 254.00 hectares of forest land located in river bed of Kosi river in Nainital district of Uttarakhand by the Uttarakhand Forest Development Corporation Ltd for a period of ten years by the Uttarakhand Forest Development Corporation, subject to fulfilment of the following conditions:



- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the degraded forest land equal in extent to the forest land being diverted shall be raised and maintained by the State Forest Department at the cost of the User Agency;
- (iii) All the funds received from the User Agency under the project shall be transferred to Ad-hoc CAMPA in the Saving Bank Account of the concerned State CAMPA in the Corporation Bank, CGO Complex, Lodhi Road, New Delhi;
- (iv) To ensure extraction of minerals in a sustainable manner the user agency shall formulate a transparent and unbiased procedure for engagement of labourers for extraction of the minor minerals from the forest land proposed for diversion;
- (v) The collection of minor minerals after 31st day of January in a year shall be allowed only after receipt of certificate from the Monitoring Committee under the Chairmanship of the Principal Chief Conservator of Forests, Uttarakhand constituted vide Government of Uttarakhand's letter No. 14-1/X-3-13-08(14)/2008-T.C. dated 29.01.2013 to the effect that the conditions stipulated in the approval accorded under the Forest (Conservation) Act, 1980 and the instructions issued by the Monitoring Committee have satisfactorily been complied in collection of the minor minerals during the previous calendar year;
- (vi) To restore the functionality and utility of the migratory corridor linking Corbet Tiger Reserve with the Pawalgarh Conservation Reserve, the State Government may explore feasibility to relocate the settlements from the Sunderkhal village by using State CAMPA funds;
- (vii) Fifty percent of the net profit earned by the user agency from the collection of minor minerals shall be deposited to a Special Purpose Vehicle (SPV) to be constituted by the State Government under the Chairmanship of the Chief Wildlife Warden, Government of Uttarakhand. The amount to be deposited in the SPV shall be used exclusively for river training activities and management & protection of forest & wildlife in vicinity of forest land diverted for collection of minor minerals;
- (viii) The total quantity of minor minerals extracted during a year shall not be more than 20.30 lakh cubic meter;
- (ix) Extraction of minor minerals shall be restricted to middle half of the of the width of river bed after leaving intact the one-fourth of width of the river bed along its each bank;
- (x) To ensure maintenance of river geometry, collection of minor minerals during a working season shall start from centre of the river width and shall gradually extend to the boundary of the permissible area. The maximum permissible depth for collection of minor minerals at centre of the river width shall be limited to 3m and it shall gradually reduce till it reaches boundary of the permissible zone;
- (xi) To regulate and maintain record of the quantity of minor minerals extracted during a season, the State Forest Department shall set up adequate number of check posts during the collection season;
- (xii) Extraction of minor mineral shall be restricted from 1st October to 31st May of the subsequent year;

15/11/2013

- (xiii) Minor minerals shall be collected by manually by using hand tools. Use of explosive and heavy machineries for breaking/collection of minor minerals shall be strictly prohibited.
- (xiv) Collection time shall be from sun-rise to sun-set.
- (xv) No labour camp shall be set up in the forest area for the labourers engaged in collection of the minor minerals.
- (xvi) Breaking of boulders shall be undertaken outside the forest boundaries.
- (xvii) The labourers engaged in collection work will be provided free fuelwood/alternate source of energy to avoid any pressure on adjoining forest land.
- (xviii) The boundary of the forest land being diverted shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing, and distance from adjoin pillars etc.
- (xix) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xx) The user agency shall submit annual self monitoring report containing status of compliance to conditions stipulated in the approval to the State Government and concerned Regional Office of this Ministry;
- (xxi) Any other condition that the Central Regional Office of this Ministry, Lucknow and the State Government of Uttarakhand may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xxii) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

Yours faithfully

(Signature)
(H.C. Chaudhary)

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Government of Uttarakhand, Dehradun.
2. The Nodal Officer, Forest Department, Government of Uttarakhand, Dehradun.
3. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (Central Zone), Lucknow.
4. User Agency.
5. Monitoring Cell, Ministry of Environment and Forests.
6. Guard File.

(Signature)
(H. C. Chaudhary)

Assistant Inspector General of Forests

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