

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

Paryavaran Bhawan,
CGO Complex,
Lodhi Road, New Delhi-110 003
Dated: 23rd January, 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 1497 ha. area in river bed of Gola river for a period of ten years by the Uttarakhand Forest Development Corporation.

2-13

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. 208/ IG-2726 (Naini) dated 20.07.2010 and No. 878/ 1G - 2726 (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 fulfillment 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. 1624/IG-2726 (Naini) dated 11.01.2013 and No. 1651/IG - 2726 (Naini) dated 19.01.2013 and the Divisional Forest Officer, Terai East Forest Division vide letter No.91/ T.C. dated 19.01.2013, 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 1497 hectares area in river bed of Gola river 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;

23/1/2013

- (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 from funds realised from the User Agency
- (iii) The State Government shall realise from the user agency the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India and transfer the same to the ad-hoc CAMPA;
- (iv) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (v) The State Government and the user agency shall work with local residents of Bindu Katha to give safe and interrupted passage to the wild animals passing through the Gola corridor, expedite payment of compensation in case of any damage to property etc. and generally increase awareness of the methods of co-existence of man and wildlife;
- (vi) The State Government shall not allow any new facility/ structure within the Gola corridor to ensure its restoration in future. The State Government shall also ensure that the boundary of the ITBP battalion headquarters be shifted towards south so as to ensure that it is located entirely on southern side of the Gola corridor and that the corridor is maintained free of fresh obstructions from the Highway/ Railway line upto the Bindu Katha settlement;
- (vii) To eliminate disturbance from collection of minor minerals on movement of wild animals along the Gola corridor, collection of minor minerals in a 2.50 km long stretch of the river bed located on the Gola corridor shall be prohibited. However, in case it is observed that non-collection of minor mineral from the corridor results in major floods in adjoining areas, the user agency, under strict supervision of the State Forest Department and representative of the Chief Wildlife Warden, may undertake periodic accelerated collection (during the period having least frequency of wildlife movement) of minor minerals from said stretch of the river bed, to maintain river geometry;
- (viii) 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 Sundarkhal village by using State CAMPA funds;
- (ix) The State Government shall constitute a committee under Chairmanship of the Principal Chief Conservator of Forests, Government of Uttarakhand and having the representative of the Ministry of Environment & Forests, Wildlife Institute of India and NGOs such as WWF-India, WII, IUCN etc. as its members, **before start of mining/ collection of minor minerals**, to review annually the status of compliance of the stipulated conditions and issue appropriate direction to the user agency in case of any deviation as well as any hazard due to non-removal of minor minerals from the protected corridor. 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 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;

2011.11.15

- (x) To ensure extraction of minor 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 diverted forest land;
- (xi) Fifty percent of the net profit earned by the user agency from the collection of minor minerals shall be deposited in 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;
- (xii) The total quantity of minor minerals extracted during a year shall not be more than 54.25 lakh cubic meter;
- (xiii) Extraction of minor minerals shall be restricted to the middle half of the of the width of river bed after leaving intact one-fourth of width of the river bed along its each bank;
- (xiv) 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 be reduced till it reaches boundary of the permissible zone;
- (xv) 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;
- (xvi) Extraction of minor mineral shall be restricted from 1st October to 31st May of the subsequent year;
- (xvii) Minor minerals shall be collected manually by using hand tools. Use of explosive and heavy machineries for breaking/ collection of minor minerals shall be strictly prohibited;
- (xviii) Collection time shall be from sun-rise to sun-set;
- (xix) No labour camp shall be set up in the forest area for the labourers engaged in collection of the minor minerals;
- (xx) Breaking of boulders shall be undertaken outside the forest boundaries;
- (xxi) The labourers engaged in collection work shall be provided free of cost, fuel wood/alternate source of energy to avoid any pressure on adjoining forests;
- (xxii) 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.
- (xxiii) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xxiv) User agency shall submit annual self-monitoring report, indicating status of compliance to the conditions stipulated in the approval, to the State Government and the concerned Regional Office of this Ministry;

22.11.2015

- (xxv) 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
- (xxvi) 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

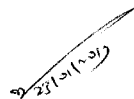


(H.C. Chaudhary)

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 Chief Conservator of Forest, Regional Office, Lucknow.
4. User Agency.
- ✓ 5. Monitoring Cell, Ministry of Environment and Forests.
6. Guard File.



(H. C. Chaudhary)

Assistant Inspector General of Forests