

SITE INSPECTION REPORT (For the Forest land to be diverted under FCA)


A proposal has been received by this office from Hill Cement Company Ltd for diversion of 4Ha ha. of deemed forest land for non forestry purpose (i.e. for mining of lime stone to be used for cement manufacturing) under section .2 of FCA-1980. The site inspection of the land involved in the proposal has been done by the undersigned on dated 12th March 2021. On inspection of the site, it is found that the land proposed by the user agency for lime stone mining is 4ha and the same was ascertained as Forest land by the Joint Inspection Team (JIT-I) during site inspection carried out in the year 2012 and said team has instructed the user agency to apply for Forest clearance under FCA 1980. Prior to JIT-I, the user agency was extracting lime stone in the proposed site based on the mining lease granted vide. No. MG.66/2009/83 dtd 20th Oct 2009 by the Mining and Geology Department, Government of Meghalaya based on the NOC for the same was issued by the Conservator of Forest (M&E) vide. Memo.No.MFG.16/50/HCCL/1298 dtd 6th May, 2010.

As of now, the proposed area is completely broken for lime stone mining for the purpose of cement manufacturing. The question of tree enumeration does not arise since the area has already been broken and no trees were found at the time of inspection. **No studies on rare/ endangered/ unique species of flora and fauna have been made** till date. Further, there is no **protected archaeological/heritage sites/ defense establishments has been found nearby areas**. Though the mining lease for the said land (treating as Non Forest) was granted by the state under Major Mineral Concession Rule 1960 as per the provisions given under MMDR 1957, yet, as per JIT-I, the proposed land is Forest and the user agency has violated the section .2 of Forest (Conservation) Act, 1980. Therefore, a detailed report as per para 1.9 of Chapter 1, Part C of Hand book of Forest (Conservation) Act, 1980 is attached as *Annexure -I*

Specific recommendation for acceptance or otherwise of the proposal:

The requirement of forest land as proposed by the user agency in Col. 2 of part-I is unavoidable and is barest minimum required for the project. The proposal submitted by the user agency is very much important for mining of lime stone to be used for cement manufacturing to cater the needs of the cement for the developmental works in the state. The proposal mentioned above not only beneficial to cater the needs of the cement in the developmental works in the state but also will generate employments for the public in the district. Considering the above, it is recommended for further processing and to grant approval if deem fit and proper under Section.2 of Forest Conservation Act 1980.

Place: Jowai
Date: 12.3.2021


Name: R. Nainamalai, I.F.S.,
Designation: Divisional Forest Officer,
Jaintia Hills Territorial
Division, Jowai
Office Seal


Full Title of the Project: Proposal for "Diversion of 4.00 ha of Forest Land for Limestone Mining in respect of M/s Hills Cement Company Limited:

DETAILED REPORT ON VIOLATION OF PROVISIONS OF FOREST ACTS

- a) **The extent (in hectare) of forest land broken/encroached and the number of trees illicitly felled:** The extend of area broken is 4.0 ha. The aforesaid land is completely broken by the user agency for extraction of lime stone for cement manufacturing. However, it may be mentioned that the user agency has been granted mining lease for the aforesaid land vide letter No. MG.66/2009/83 dtd 20th Oct 2009 by the Mining and Geology Department, Government of Meghalaya.
- b) **The name and designation of the official/persons who are prima-facie responsible for the contravention of the provisions of the Act, supported by requisite documents:** M/s Hills Cement Company Limited
- c) **In case, it is not possible to fix the responsibility for commission/omission of any action leading to violation of the provisions of the Act, full explanation with relevant supporting documents to be appended:** It is not possible to fix the responsibility for commission/omission of any action leading to violation of the provisions of the Act since mining lease for the said land was granted by the Mining and Geology Department Government of Meghalaya under Major Mineral Concession Rule 1960 as per the provisions given under MMDR 1957 based on the NOC and status of land (as **Non Forest**) issued by the Jaintia Hills Autonomous District Council.
- d) **The Details of action taken by the DFO against illicit felling/encroachment/illegal mining etc under the provision of IFA-1927 / PLPA-1900/other State Forest Acts, etc. There is no record on action taken on violation of FCA 1980.**
1. As per records of this office there is no record on action taken on violation FCA 1980. Further, it may be mentioned that since the aforesaid (deemed forest) land belongs to the private individual, there is no provision for taking any action under **Meghalaya Forest Regulation Act 1973**.
 2. Mining lease for the said land has already been granted (Prior to JIT-I in the year 2012) vide. No. MG.66/2009/83 dtd 20th Oct 2009 under Major Mineral Concession Rule 1960 as per the provisions given under MMDR 1957 based on the NOC and status of land (as **Non Forest**) issued by the Jaintia Hills Autonomous District Council.
 3. As of now, as per JIT-I, the proposed land was ascertained as forest and mining of lime stone in the said land without forest clearance is considered as violation of FCA 1980.

Hence, the undersigned is of the opinion that facts mentioned above may be considered before imposing penalty on violation FC Act 1980.

Place: *Jowai*
Date: *12.3.2021*


Divisional Forest Officer,
Jaintia Hills Territorial Division, Jowai.

Countersigned by:
Conservator of Forests (T),
Khasi & Jaintia Hills Districts, Meghalaya, Shillong