

To

The Divisional Forest Officer
Paonta Forest Division

Sub:- Diversion of 2.057 Ha. Of forest land in favour of Nav Yasvarr Mine, Sahota Niwas, Ward No. 3 Nalagarh Distt. Solan, H.P., within the jurisdiction of Paonta Forest Division, Distt. Sirmour, H.P. (Online Proposal No. FP/HP/MIN/38499/2019)

Sir,

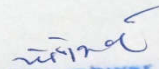
This is with reference to the subject cited above. In this context this is to inform you that the EDS raised by Forest Department has been attended and para wise reply for the same is as under:-

Sr. No.	Observation	Reply
1.	In reply to the observation no. 2 of REC, the State Govt. has submitted the aerial distance from the boundary of National Park (Col: Sher Jung National Park) and it's notified ESZ. However, observation of REC regarding the impact on the riverine Wildlife appears to be affected in the area due to proposed mining has not been provided. Therefore, comments regarding the same may also be provided.	The ESZ has been attached with the proposal and also uploaded on the PARIVESH Portal and the distance from concerned Wild Life Sanctuary and Park is 10.020 KM. However, the comments of CWLW has been attached and uploaded on the PARIVESH Portal against additional information detail at Sr. No. 4 (ESZ) and at Sr. No. 19 (Comments of CWLW).
2.	As per the "justification of locating project in forest area" it is mentioned that entire lease area was broken up. Therefore, comments as well as clarification may be provided, whether extraction of mineral was carried out without the prior approval of Govt. of India under FCA provisions. If yes, then following conditions/justifications may be provided:-	There is no violation on the selected patch of land i.e. 2.057 Ha. for which LOI has been granted by the Department of Industries Himachal Pradesh vide Letter No. Udyog-Bhu(Khani-4)Laghu-472/2016 Dated 09.08.2016.
	(i) The Action Taken Report against the violators as per Para 1.21 (i) and/or (ii) of FCA Guidelines may submitted/ uploaded in the PARIVESH portal.	There is no violation on the selected site and undertaking for the same has been uploaded against additional information detail at Sr. No.
	(ii) Action taken by the State Government against the officials concerned for not being able to prevent the use of forest land for non-forestry purpose without prior approval of Govt. of India.	There is no violation on the selected site and no work has been initiated by the LOI holder on the site. Undertaking for the same has been uploaded against additional information detail at Sr. No.

	(iii) State Govt. may provide the present status of the violation whether the work is continuing or halted.	There is no violation on the selected site.
	(iv) The Penal NPV/Additional NPV calculation sheet/bills as per revised NPV rate by MoEF & CC dated 06.01.2022 may be provided.	There is no violation on the selected site and no Penal NPV is applicable.
	(v) The column/table in Part-II, Para-11 may also be filled up	Pertains to DFO Office
3.	Clarification regarding utility of the minerals to be extracted from the proposed mining lease area may be provided.	The minerals (i.e. Sand, Stone and aggregate) will be utilized to overcome the deficiency of material for the construction of residential and commercial complex in the region.
4	The DSR report duly authenticated by the competent authority may be provided.	The DSR report duly authenticated by the competent authority has been uploaded on the Portal against additional information detail in online Part-I at Sr. No. 20
5.	The FRA Certificate has been provided, however, all prescribed annexure including records of all consultations and meetings with Gram Sabha (s) and FRC(s) of concerned villages needs to be submitted.	Undertaking to provide Complete FRA certificate has been uploaded on the Portal at Sr. No. 27.
6.	The copy of Environmental Clearance is not provided. Same may be provided/uploaded on the PARIVESH portal.	The EC is obtained and the same has been uploaded on the portal against Column No. H in online Part-I
7.	In the Layout Plan the approach road has been proposed, however in the KML file and Component wise breakup (Part-1, B-2.4) and land use plan, the approach road is not mentioned. Therefore, State Govt. may comment on the same and clarify how the proposed mining lease area will be accessed. If approach access from nearest road to proposed mining lease area required, same may be included in the component and revised the proposal accordingly.	There exist a path adjacent to the mining lease area which is mentioned in the Tatima provided by the revenue department and certificate of concerned patwari has also been attached with the proposal. The mining area will be accessed from this existing path. Also, approach road mentioned in component wise breakup against Column No. B-2.4 in online Part-I is not part of the diversion area hence, mentioned as '0'.
8.	In Part-I, para-M-2 (vii) uploaded, map of the outer boundary of mining lease is same as of KML file of DA area. Comments in this regard may also be provided.	Revised map has been uploaded on the portal in Part-I Para-M-2(vii).
9.	In the Part-1, M-1, (c) copy of "Letter of Intent" is uploaded, which is of the year 2020 and valid for period of 1 year. Therefore, the fresh "Letter of Intent" obtained from Competent Authority may also be uploaded at designated location in PARIVESH portal.	Latest copy of LoI has been uploaded on the portal against Column No. M(i) (C) and additional information detail at Sr. No. 22.

10.	In part-I, Para-M-5.2, the Estimated Reserve is given as 43875 million tons, however in para-M7 (i), it is given as 46800 million tons. Therefore, State Govt. may review and clarify the mismatch and rectify the same, if required.	Necessary correction has been done
11.	In part-I, Para, M-2 (iv) instead of copy of approved Mining Plan, copy of approval of Mining Plan has been given. Therefore, The State Govt. may review and submit the approved Mining Plan.	Approved Mining Plan has been uploaded on the Portal against Column No. M-2(iv)
12.	Undertaking for the deposition of amount for afforestation on degraded forest land to be selected elsewhere measuring one and half time the area of forest land under Safety Zone, with the State Forest Department, in addition to depositing funds under State Forest Department for the protection and regeneration of the Safety Zone area as per FCA Guidelines Para-2.6 (ii) is required to be submitted.	Undertaking for the deposition of amount for afforestation on degraded forest has been uploaded on the portal against additional information detail at Sr. No. 25.
13.	As per the guidelines Para-7.9, the width of 10 meter and 50 meter strip on either side of public road and natural stream respectively located inside the mining lease shall be protected but will not be considered as part of safety zone. The State Govt. may provide comments in this regard.	There is no public path and natural stream located inside the diversion area.
14.	It has been observed from KML file that all the components of Diversion area are not shown. Therefore, the revised KML file showing the entire component namely i.e. mining lease area and the peripheral area/Outer boundary/safety zone area as per (Para-7.5 of FCA guideline) within the mining lease area and approach access to the mining lease area in distinct colour may be uploaded on PARIVESH Portal.	Revised KML file with all the components has been uploaded on the portal against Column No. C (a).
15.	The State Govt. may rectify and fill the correct area figure of geographical area of district profile in Part-II, para-1.	Pertains to DFO Office
16.	As per the DSS analysis, the Proposed DA falls in Distt. Dehradun (Uttarakhand) and not in district Sirmaur (Himachal Pradesh). Therefore, State Govt. may review and comment on the same.	The proposed DA falls within the jurisdiction of Himachal Pradesh and not under Uttrakhand but as per Geo Reference the said boundary has been shown in Uttrakhand which is not correct as the bifurcation of State Boundary is River Yamuna and the proposed project falls within the boundary of State of Himachal Pradesh. Undertaking for the same has been uploaded on the portal against

		additional information detail at Sr. No. 26.
17.	As per the DSS analysis, the proposed DA area is 2.057 ha however, the calculated area is 2.14 ha. Therefore, State Govt. may review the difference in proposed DA area and calculated area.	The proposed area is 2.057 Ha. and necessary correction in the diversion area has been done and KML file of the same has been updated on the Portal.
18.	As per the DSS analysis, the proposed area for CA is 4.5 ha, however, the calculated area is 4.38 ha. Therefore, State Govt. may review the difference in proposed CA area and calculated area.	Pertains to DFO Office
19.	As per the DSS analysis, the proposed area for diversion is 0.89 km from the High Conservation value (HCV) Zone of the wetland. Since, the Asan Wetland area is declared as "Ramsar Site" a habitat to many vulnerable, endangered, or critically endangered species of flora and fauna (especially avian species), which is at aerial distance of 0.89 kms from the proposed mining lease area. Therefore, exact aerial distance from Asan Barrage Bird Sanctuary and comments File No.FC/HPB/05/80/2022 I/10465/2022 332 3 of 3 from the concerned authorities regarding the adverse impacts on the habitat of avian species in the Bird Sanctuary and mitigation measure/action Plan may be provided, if required.	Pertains to Forest Department
20.	(i) The status of proposed CA land along with the documentary proof may be provided, whether it is a Govt. Wasteland declared as UPF under HP Govt. notification, 1952 or is notified as UPF/DPF under IFA, 1927 and is in possession of H.P Forest department or not. (ii) State Govt. may submit certificate regarding the suitability of land for CA in lieu of forest land proposed for diversion in terms of its vicinity to the area being proposed for DA and/or contiguity with the existing forest area and also ensure the manageability as per the latest Guidelines of MoEF & CC vide letter No. 11-423/2011-FC dated 13.07.2022.	Pertains to DFO Office


 Yogeshwar
 B/o Sh. Roshan Lal
 W. No. 3, Nalagarh
 Distt. Solan (H.P.)

Authorized Signatory