

No.Ft.48- 5252/2021 (FCA),
Forest Department, Himachal Pradesh

From: Nodal Officer-cum-APCCF (FCA)
O/o Pr.CCF, H.P, Shimla-1.

To: The Assistant Inspector General of Forests
Govt. of India, Ministry of Environment, Forests & Climate Change,
(Forest Conservation Division),
Indira Paryavaran Bhawan, Aliganj, Jor Bagh Road,
New Delhi: 110003.

Subject: **Proposal for seeking prior approval of the Central Government under Section 2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of Shri Vinod Kumar, Village Trambala, PO Longni, for non- forestry use of 1.7674 ha. of forest land for mining lease for extraction of Sand, Stone and Bajri in Son Khad Part-III at Kalsawai, within the jurisdiction of Joginder Nagar Forest Division, District Mandi in the State of Himachal Pradesh (Online Proposal No. FP/HP/MIN/119019/2021)- regarding.**

Sir,

Kindly refer to your office letter No FC/HPB/56/2023 dated 17.09.2024 on the subject cited above vide which Stage-I approval has been accorded to the subject cited proposal.

2. The point-wise reply to the stipulations as stipulated in Stage-I approval is submitted as below:-

- i. Legal status of the diverted forest land will be remained unchanged. Undertaking of UA is attached with the compliance report of Stage-I submitted by User Agency.
- ii. No tree is involved in the instant proposal.
- iii. The user agency will comply all the conditions stipulated in guidelines issued by the Ministry's File No. FC-11/56/2024-FC dated 29.08.2024. Undertaking of DFO concerned is attached with the compliance report of Stage-I of User Agency.
- iv. Extraction of minor minerals shall be carried out manually. Further, the State Government shall ensure that there is no erosion and change in river course due to extraction/collection of sand, stone and Bajri from the riverbed. All Guidelines of Ministry of Environment, Forest and Climate Change issued in respect of extraction/collection of sand, stone and Bajri from the river-bed. The undertaking of user agency is attached with the compliance report of Stage-I of User Agency.
- v. The extraction of minor mineral shall be as per DSR study report and the annual quantity shall not exceed the average of extractions in the years of 2015-16 to 2019-20. The undertaking of user agency is attached with the

compliance report of Stage-I of User Agency.

- vi.** Extraction of minor minerals when permitted shall be from the middle of the riverbed after leaving one fourth of the river bed on each bank untouched; the undertaking of user agency is attached with the compliance report of Stage-I of User Agency.
- vii.** The Compensatory Afforestation shall be taken up by the State Forest Department over an area of 3.53 ha double in extent in Chhejkhobl DPF Survey No. 53A/9, Dharampur Forest Range, Joginder Nagar Forest Division, District Mandi, at the cost of the User Agency, within two years from the date of grant of Stage– II/final approval; the undertaking of DFO is attached with the compliance report of Stage-I.
- viii.** The DFO has submitted an undertaking as attached with compliance of stage-I that no plantation/afforestation under any scheme/ plan/program has been undertaken in the past ten years over the degraded forest land identified and accepted for carrying out compensatory afforestation.
- ix.** The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars, with maintained for 10 years has been deposited by user agency in National Authority, CAMPA managed by the State Government.
- x.** The land identified for the purpose of CA has been clearly depicted on a Survey of India toposheet of 1:50,000 scale; however, an undertaking of DFO in this regard is attached with the compliance report of Stage-I.
- xi.** The User agency duly signed by DFO concerned has submitted an undertaking that afforestation on degraded forest land will be done, at project cost, one and half time in extent to the area used for safety zone.
- xii.** The DFO has given an undertaking attached with the compliance report of Stage-I that the KML files of the polygons of forest area under diversion and degraded forest area identified and accepted for raising compensatory afforestation, in the E-Green watch portal with all the requisite details prior to final approval.
- xiii.** The user agency has deposited the funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal 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 06.01.2022 read with 22.03.2022 through online portal of CAMPA account.
- xiv.** The user agency is agreed that at the time of payment of the Net Present Value (NPV) at the present rate, an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India is attached with the compliance of Stage-I approval.
- xv.** The Compensatory levies has been deposited by User Agency through e-challan, generated on PARIVESH Portal into the account of National Authority, an undertaking in this regard is attached with the compliance of Stage-I approval.

- xvi.** The user agency has submitted undertakings to ensure that the mitigation measures as mentioned sub point (a) to (f) shall be adopted during execution of the project/Mining.
- xvii.** The User agency has obtained the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, copy of the approval is attached with the compliance of Stage-I approval.
- xviii.** No tree felling is involved in the instant proposal.
- xix.** No tree felling is involved in the instant proposal.
- xx.** The period of diversion of the said forest land under this approval shall be co-terminus 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, an undertaking in this regard is attached with the compliance of Stage-I approval.
- xxi.** The compliance report has been uploaded on e-portal.
- xxii.** The user agency has submitted complete FRA certificate copy of which is attached with the compliance of Stage-I approval.
- xxiii.** The layout plan of the proposal shall not be changed without the prior approval of the Central Government, an undertaking in this regard is attached with the compliance of Stage-I approval.
- xxiv.** No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the laborers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas; an undertaking of user agency in this regard is attached with the compliance of Stage-I approval.
- xxv.** The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person; an undertaking of user agency in this regard is attached with the compliance of Stage-I approval.
- xxvi.** User agency as submitted an undertaking that they with the Forest Department shall create and maintain alternate habitat/home for the avifauna, whose nesting tress are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.
- xxvii.** No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work; an undertaking of user agency in this regard is attached with the compliance of Stage-I approval.
- xxviii.** The boundary of the diverted forest land 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 coordinates; an undertaking of user agency in this regard is attached with the compliance of Stage-I approval.
- xxix.** 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; an undertaking of user agency in this regard is attached with the compliance of Stage-I approval.

- xxx.** No damage to the flora and fauna of the adjoining area shall be caused; an undertaking of user agency in this regard is attached with the compliance of Stage-I approval.
- xxxi.** The Divisional Forest Officer has submitted an undertaking with the compliance of Stage-I approval that, he will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
- xxxii.** The User Agency has submitted an undertaking with the compliance of Stage-I approval that 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.
- xxxiii.** Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and user agency; an undertaking of user agency in this regard is attached with the compliance of Stage-I approval.
- xxxiv.** The User Agency has submitted an undertaking with the compliance of Stage-I approval that they 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.
- xxxv.** The User Agency has submitted an undertaking with the compliance of Stage-I approval that the violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 as issued by this Ministry's letter No. 5-2/2017-FC dated 29.12.2023.

Encl: As above.

Yours faithfully,

Nodal Officer-cum-APCCF (FCA)
O/o Pr.CCF, H.P, Shimla-1