

Agenda No. 9

File No. 8-16/2000-FC (pt.)

1. The State Government of Uttarakhand vide their letter dated 10.12.2012 submitted a proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980 for diversion of 1380.03 hectares of forest land in favour of Uttarakhand Forest Development Corporation Limited for collection of minor minerals (boulders, bajri, sand , RBM) for next 10 years from river beds of the Ganga and its tributaries.
2. Details indicated in the proposal submitted by the Government of Uttarakhand are as below:

FACT SHEET

1.	Name of the Proposal	Diversion of 1380.03 hectares of forest land in favour of Uttarakhand Forest Development Corporation Limited for collection of minor minerals (boulders, bajri, sand , RBM) for next 10 years from river beds of the Ganga and its tributaries.
2	Location:	
	State	Uttarakhand.
	District	Haridwar
3.	Particular of Forests	
I	Name of Forest Division	Haridwar Forest Division, Haridwar
Ii	Area of Forest land for Diversion	1380.03 ha.
Iii	Legal Status of Forest land	Reserved Forest
Iv	Density of Vegetation.	Zero
V	Species-wise and diameter class wise enumeration of trees.	The forest land proposed for diversion is tree-less.
4.	Vulnerability of area to vegetation	Increase in the level of river bed due to collection of minor minerals during rainy season collection of minor minerals is essential to prevent soil erosion in adjoining areas.
5	Approximate distance of proposed site for diversion from boundary of forest.	Forest boundary is along the river bed.
6.	Whether forms part of	Located within the Shivalik elephant Reserve.

	National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (if so, the details of the area the comments of the Chief Wildlife Warden to be annexed).	
7.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	No.
8.	Whether any protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No.
9.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project. If no, recommended area item-wise with details of alternatives examined.	Unavoidable and minimum.
10	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still under progress.	No.

11	Details of Compensatory Afforestation Scheme:	Compensatory afforestation is proposed to be raised on degraded forest land equal in extent to the area of forest land proposed to be diverted. A detailed scheme for creation and maintenance of compensatory afforestation at an estimated outlay of Rs. 12,46,27,800 has been enclosed with the proposal.
12	Recommendation	
	DFO	Recommended
	CF	Recommended with the conditions that the user agency will transplant the young poles falling in diameter class 0-10 cm and 10-20 cm at appropriate location and will also make foolproof mechanism for their protection.
	Nodal Officer & Addl. PCCF	Countersigned.
	State Govt.	Signed.

3. The user agency and the State Government of Uttarakhand submitted following additional information pertaining to the said proposal:

- (i) The Ministry of Environment and Forests, Government of India vide letter dated 28.10.2002 accorded approval under the Forest (Conservation) act, 1980 for diversion of 1380.03 hectares of forest land for collection of minor minerals from river Ganga and its associated rivers for 10 years by the Uttarakhand Forest development Corporation. The Uttarakhand Forest development Corporation has submitted a proposal for renewal of the above permission.
- (ii) As per the proposal, during rainy season level of the river bed increases due to accumulation of large amount of sand, boulder, etc.. In case there minor minerals are not collected/ removed increase in level of river bed will result in soil erosion and consequent damage to adjoining forest land and forest resources. Collection of minor minerals from the river bed is therefore essential. As per the proposal, requirement of the forest land is minimum and there are no alternatives.
- (iii) As per the proposal the minor minerals are proposed to be collected from the following rivers:

Sr. No.	Name of the river/place for collection of minor minerals	Area (in Ha.)
1	Ganga river Bishanpur	237.918
2	Ganga river Bhogpur	190.57

3	Ganga river Shyampur	219.442
4	Ganga river Chidiyapur	325.75
5	Pili river	131.31
6	Kotawali river	74.66
7	Rawason first	99.79
8	Rawason second	100.50
	Total	1380.03

- (iv) The Uttarakhand Forest Development Corporation has informed that preparation of the Environment Impact assessment (EIA) to obtain environment clearance for the project is presently under progress.
- (v) In this regard pre-feasibility report has already been submitted to the MoEF to obtain terms of reference (T.O.R.). The Uttarakhand Forest Development Corporation has also informed that they have also requested the Central Soil and Water Conservation Research and training Institute to assess the quality of minor minerals that may be collected from these rivers.
- (vi) As per the proposal, collection of minerals will provide large scale employment to skilled and unskilled labourers.
4. The Forest land proposed for diversion has been inspected by the Regional Office (Central Zone), Lucknow. The important additional information pertaining to the proposal indicated in the site inspection report received from the Regional Office (Central Zone), Lucknow vide their letter dated 16.10.2013 are as below:
- (i) Earlier the approval was accorded for diversion of 2900 ha. of forest land for collection of Bajri ,boulder & sand from Ganga and its tributaries vide Ministry's letter No. 8-16/2000-F.C. dtd 28.10.2002, for a period of 10 years. Now, after the expiry of lease period, State Govt. has submitted the proposal for diversion of 1380.03 ha of forest land for collection of river-bed material from Ganga and its tributaries in Haridwar district
- (ii) **The proposal does not involves any construction of buildings**
- (iii) The proposed area for collection of riverbed material is part of Shiwalik Elephant Reserve. The average distance, of the proposed areas, from Rajaji National Park is 12 km. However some areas, like in Pili river it is 4.75 km and Rawason river second and in Ganga river Shyampur are located at a distance of 5.5 km only from Rajaji National Park. (Annexure 1- letter of Director, Rajaji National Park)
- (iv) **For compensatory afforestation** there are two lists attached in the proposal (at page no. 50 and 159) enlisting the areas for compensatory afforestation. However,

during site inspection, DFO, Haridwar informed that the list given at page no. 159 is the final list for the area details of Compensatory Afforestation to be done under this project. Compensatory Afforestation as per this list (Annexure-2) is proposed in total area of 1380.00 Ha of forest land.

Sl. No.	Name of Range	Proposed area	District	Legal Status	Area in ha.
1.	Chidiyapur Range	Kotawali Compt. No. 5	Haridwar	Reserve Forest	50.00
		Kotawali Compt. No. 11			100.00
		Kotawali Compt. No. 12			100.00
2.	Rasiyabad Range	Nallowala Compt. No. 7	Haridwar	Reserve Forest	70.00
		Nallowala Compt. No. 9b			50.00
3.	Shyampur Range	Shyampur Compt. No. 10	Haridwar	Reserve Forest	50.00
		Pili 2 A			50.00
		Mitthiberi 1 A			50.00
		Nallowala 1 A			50.00
		Shyampur Compt. No. 7			50.00
4.	Haridwar Range	Pathari Compt. No. 1	Haridwar	Reserve Forest	10.00
		Pathari Compt. No. 2			50.00
		Pathari Compt. No. 3			40.00
5.	Khanpur Range	Sahamansoor Van Block	Haridwar	Reserve Forest	70.00
		Aurangabad Van Block			80.00
		Aurangabad Van Block			90.00
		Hajara Van			60.00

		Block Rasulpur Papdi Sikrauda Van Block			150.00
6.	Laksar Range	Hastmauli Van Block Jogawala Van Block Sherpur Bela Mahajee Teep Bhogpur Van Block Baadshahpur	Haridwar	Reserve Forest	10.00 20.00 100.00 60.00 20.00
				Total (Ha)	1380.00

- (v) The Suitability certificate of the DFO to certify that the land proposed for compensatory afforestation is suitable for plantation and is free from encroachment/ other encumbrances is not attached. This needs to be submitted by the DFO.
- (vi) **Proposal does not involves violation or Forest (Conservation) Act, 1980.**
- (vii) Certain amount should be ear marked for soil conservation works and river training programme. Hence accordingly a reclamation plan of the area should be prepared and amount earmarked should be used for strengthening of river banks.
- (viii) Cost benefit ratio is not worked out. However it is mentioned that about 11000 people would get direct and indirect employment and about 18 crores would be generated as revenue.
- (ix) Project is proposed for collection of sand, boulders and bajri from river-bed.
- (x) Not furnished in the proposal. No information on this could be provided at the time of site inspection as well.
- (xi) No such information is available in the proposal and during site inspection also no information was provided.
- (xii) The area proposed is not part of any Wildlife sanctuary or National Park, though some areas are found to be very close to Rajaji National Park. However the proposed area is a part of Shiwalik Elephant Reserve. The comments or NOC of Chief Wild Life Warden with respect to the impact of elephant movement in the area are not attached.

- (xiii) It was informed by DFO that the boulders, bajri and sand get deposited in the river-bed during rainy season every year. If these materials are not removed, then the course of river is likely to change. The amount of river bed material available, which can be removed as per the silvicultural standards has to be worked out .
- (xiv) It was informed by DFDM, Uttarakhand Forest Development Corporation that a study has been awarded to Central Soil and Water Conservation Research & Training Institute, Dehradun for evaluating the same, the report of which is still awaited.
- (xv) In compliance of the conditions, imposed earlier, in the final approval granted by MoEF vide its letter dated 28.10.2002 (Annexure -3), DFO Haridwar Forest Division informed, that till 2011-12, CA has been done only in 575 ha of forest land, though it had to be done in 1380 ha(Annexure 4- Abstract of Compensatory afforestation done in lieu of diversion of 1380 ha in 2002) .Soil conservation works and river training programmes have been carried out at most of the places.
- (xvi) As per the orders of Supreme Court dated 28th March, 2008, sale proceeds from collection of boulders /silts are to be used for protection/ conservation of forests. Therefore certain amount (may be equivalent to 25% of the net profit earned by the user agency from the collection of riverbed material) should be ear marked for soil conservation works and river training programme as well as for afforestation. Accordingly a reclamation plan of the area should be prepared and amount earmarked should be used for strengthening of river bank.
- (xvii) The area proposed for CA is forest land. Certificate of DFO is required certifying that land proposed for Compensatory Afforestation is degraded forest land and is suitable for plantation and management purposes.
- (xviii) The letter from each Gram Sabha needs to be submitted, indicating that all formalities/process under FRA have been carried out and that they have given their consent to the proposed diversion. Also a certificate from the concerned DM's that no case under FRA, in the proposed area is pending in their jurisdiction.
- (xix) As area is a part of Shiwalik Elephant reserve, hence approval of Chief Wildlife Warden has to be taken and area details of the Elephant reserve vis-à-vis the area proposed for collection of river-bed material have to be provided.
- (xx) It was observed during site inspection of Ganga Bishanpur and Ganga Bhogpur that in these areas certain local saints and environmentalists are protesting against collection of riverbed material from river Ganga. They are against the quarrying and stone crushing activities going in and around Ganga.
- (xxi) In Ganga Bishanpur, and Ganga Bhogpur the District Magistrate ordered(Annexure-5)for collection of riverbed material & stone crushing from Gram Sabha land and there is no demarcation of forest land vis-à-vis revenue land or naap land. Also no proper map showing forest boundaries on toposheet is available. Later, Managing Director, GMVN suspended all such activities at Ganga Bishanpur, and Ganga Bhogpur (Annexure-6) but illegal collection of

riverbed material is still going on from forest areas as well, along with Gram Sabha land.

- (xxii) In mining cases, leased area is required to be demarcated on the ground and RCC pillars are to be fixed by the lessee at his own cost as per stipulations made in first stage approval. Although no quarrying/ mining on the surface, is required in this case, yet the river bed areas, proposed for diversion, will need to be demarcated by fixing pillars and this is even otherwise essential in view of observations made above.
 - (xxiii) Quarrying of river sand is an important economic activity as it forms a crucial raw material for the infrastructural development and other constructions but, excessive collection of riverbed material from these rivers may cause degradation of rivers . According to the report of the group constituted by MoEF in March 2010, for looking into environmental aspects of Quarrying of minor minerals, it is to be noted that-
 - (a) Depth of collection of riverbed material to be restricted to 3m/water level, whichever less is and safety zones should be worked out. Depth of collection is important as it has an impact on the hydrological regime of the area .A note on depth of collection as well as safety zones to be worked out in the proposed areas of collection, is required from the User agency.
 - (b) For carrying out collection of riverbed material in proximity to a bridge(as in Ganga Shyampur & Pili river)and embankments , appropriate safety zones should be worked out on case to case basis taking into account the structural parameters, locational aspects, flow rate etc. and no collection should be carried out in these safety zones.
 - (c) Collection of riverbed material shall be done only from middle half of the width of river bed, leaving intact one-fourth of the width of riverbed along its each bank and collection of minor minerals during a working season shall start from the center of the river and shall gradually extend to the boundary of the permissible area. This would help in creation of natural embankments in these rivers.
 - (xxiv) In view of all the above observations, State Govt . needs to refine the modalities for this work so that this silvicultural work can be executed in a more scientific manner.
 - (xxv) It is also suggested that the soil conservation works and river training works should be done in consultation with CSWCRTI, Dehradun
5. The specific recommendation of Regional Chief Conservator of Forests on the proposal are as below:
- (i) The collection of minor mineral from the river bed of Ganga and its tributary for next 10 years involving 1380.03 ha of forest land is proposed by the State Government. The approval of Central Government was conveyed for diversion of 2900 ha of forest land vide Ministry's letter No. 8-16/2000-FC dated 28.10.2002.

The proposed diversion is from the same area however the total extent of area is now been restricted to 1380.03 ha. As informed in the site inspection report the compensatory afforestation was stipulated in equivalent degraded forest land. As per the report furnished, the CA has been taken up only in 575 ha of forest land so far. Therefore the compliance of the conditions of CA stipulated in the last approval accorded by the Ministry has not been made fully. As per the FCA guidelines CA is not required in the proposal of renewal of mining lease, if the CA had been stipulated and done in respect of this area at the time of grant of renewal of lease earlier. But in this case only partial compliance have been done, therefore the Ministry has to take decision if the condition of CA in equivalent or balance portion should be required to be taken up in this case. However in the proposal the details of CA proposed in the area of 1380 ha in degraded forest area is given.

- (ii) Similarly for NPV, the same was not stipulated in the last approval accorded by the Ministry. As per the guidelines given in the Ministry's No. 5-3/2007-FC dated 05.02.2009 there is full exemption for collection of boulder / silts from the river beds in the forest. The Ministry may take decision if the exemption from the realization of NPV is considered as per the guidelines. In another case of collection of river bed material from Gola river approved by the Ministry vide No. 8-61/1999-FC dated 08.04.2011 the condition of NPV has been stipulated alongwith the CA in double degraded forest land.
- (iii) Further as mentioned in DCF's site inspection report the area under reference is part of Shivalik elephant reserve for which no comments have been given by the Chief Wildlife Warden. Also the average distance of the proposed area from Rajaji National Park is 12 Km but some of the area such as Peeli River, Ganga River, Shyampur, Rawasan River, the distance is about 5 Km only. As per Environmental Protection Act, approval of the Ministry for environmental clearance is required in this case.
- (iv) The removal of bed material should be based on the study being carried out by Central Soil and Water Conservation Research and Training Institute, Dehradun (CSWCRTI) and the collection of bed material should be restricted in the middle portion of the river bed and $\frac{1}{4}$ of width of the river bed on both the banks should be kept intact in order to channelize the flow of water. The work of soil conservation and river training should be taken up in consultation with CSWCRTI, Dehradun.

- (v) The proposal is recommended for approval.
6. The proposal along with the site inspection report received from the Regional Office (Central Zone), Lucknow is placed before the Forest advisory Committee during its next meeting for its examination and appropriate recommendations.
