

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj
New Delhi - 110003

Dated: 31st January, 2023

To

The Chief Secretary
Government of Uttarakhand
Dehradun

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest Conservation Act, 1980 for renewal of FC approval for collection of minor mineral from 181.0 (originally approved 254.0 ha) ha of forest land of Kosi River in favour of Uttarakhand Forest Development Corporation, Mining Division, Ramnagar under Terai Western Forest Division, Ramnagar, and District Nainital, Uttarakhand (Online No. FP/UK/MINING/147885/2021)

Madam/Sir,

I am directed to refer to your DO letter dated 20.01.2023 regarding extension of validity of approval for diversion of 181.0 ha of forest land for collection of boulder, bajri, sand etc. vide letter No. 8-61/1999-FC (Pt. I) dated 15th February, 2013 as the formal renewal of the same is likely to take some time. The State Govt. has submitted an online proposal No. FP/UK/MIN/147885/2021 for the renewal of the above mentioned approval, which was received by the Ministry on 12.04.2022. After detailed examination of the proposal, the shortcomings observed were communicated to the state vide letter dated 13.05.2022 and 15.09.2022. The reply to the observations was submitted by the State vide letter dated 02.08.2022 (received in the Ministry on 16.08.2022 with all enclosures along with CD containing the kml files) and vide letter dated 16.11.2022 respectively. However, the State did not submit the complete reply to the observations and accordingly the Ministry vide letter dated 30.12.2022 again requested the State government for the needful.

2 .Now, the State Govt. vide letter No. 1684/FP/UK/MIN/147953/2021 dated 13.01.2023 has submitted the reply to the observations raised, however, the shortcomings as elaborated below are still required to be attended by the State government:

- i. The State Govt. has now submitted the mining plan approved by the Department of Mining and Geology Govt. of Uttarakhand. The said mining plan approved for next 5 years contains a letter No. 2170/VII-A-I/2021/21(ख)13 dated 30.12.2022 issued by the Government of Uttarkhand

wherein the condition no. 13 stipulates that the User Agency will carry out mining after leaving 15% area on each bank of the river. Whereas, the condition at Sr. no (xi) of the approval dated 15.02.2013 stipulates that *extraction of minor minerals shall be restricted to the middle half of the width of the river bed after leaving intact one fourth of the width of the river bed along its each bank.* The said condition which is contrary to the conditions of stage-II approval needs attention of the State government and clarification may accordingly be submitted

- ii. Fresh DSR has not been submitted by the State till date. In the reply of the Ministry observation's dated 30.12.2022 at S. no. (iii), the state has informed that the Department of Mining Government of Uttarkhand vide letter dated पत्र स0-870/भू0खनि0ई0/खनन ई-खन्ना /2022-23 दिनांक 30.10.2022 has informed that the DSR for the District of Nainital has not been prepared after 2018 and this report is applicable for the present period. After the examination of the letter of Department of Mining Government of Uttarkhand vide स0-870/भू0खनि0ई0/खनन ई-खन्ना /2022-23 दिनांक 30.10.2022 it is found that the Mining Department has only said that the DSR for the District of Nainital has not been prepared after 2018, whether it is applicable or not for the present period it has not been informed by them. The same may be clarified and a fresh DSR may be submitted.
 - iii. All the parameters prescribed in the Handbook of guidelines dated 28.03.2019 have still not been included in the cost benefit analysis, which is required to be done.
3. Keeping in view the request of the State Government to extend the validity of the approval accorded vide letter dated 15.02.2013 and based upon the approval of the competent authority, it has been decided that the Government of Uttarakhand may allow the User Agency to collect the minor minerals from already broken up area where the mining operation is presently going on, beyond the date of validity of the approval dated 15.02.2013 till 28.02.2023 i.e. w.e.f. 16.02.2023 to 28.02.2023.
4. The State Government shall however immediately submit the reply to the observations as contained above in Para 2 of the letter along with the latest point wise status of compliance of the conditions stipulated in the S-II approval dated 15.02.2013 so that the proposal for renewal of validity of forest clearance can be placed before the FAC for consideration.

This issues with the approval of the competent authority.

Yours Sincerely,

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. Principal Secretary (Forests), Government of Uttarkhand, Dehradun.
2. PCCF (HoFF), Govt. of Uttarakhand, Department of Forest, Dehradun.
3. Regional Officer, Integrated Regional Office, MoEF&CC, Dehradun (**with a**

request to expedite the inspection of the remaining CA areas)

4. APCCF cum Nodal Officer (FCA) Govt. of Uttarakhand, Department of Forest, Dehradun.
5. User Agency.
6. Monitoring Cell of the FC Division for uploading on the PARIVESH portal.