

Sub: Proposal for seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 for non-forestry use of of 54.668 ha. of forest land for extraction of sand, stone and bajri from bed of river Yamuna mining project by Randeep Singh, Mauza and Mohal Bhagani, District Sirmour, within the jurisdiction of Paonta Forest Division, District, Sirmour Himachal Pradesh (Online Proposal No. FP/HP/MIN/34137/2018) regarding-:

Note-This file has been created taking documents from PARIVESH.

1. The Government of Himachal Pradesh, Forest Department vide their letter No.Ft.48-3758/2018 (FCA) dated 18th January, 2020 (Pg. no. 1-148/c) has submitted a fresh proposal to obtain prior approval of the Central Government, under Section-2 of the Forest (Conservation) Act, 1980 for seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 for non-forestry use of of 54.668 ha. of forest land for extraction of sand, stone and bajri from bed of river Yamuna mining project by Randeep Singh, Mauza and Mohal Bhagani, District Sirmour, within the jurisdiction of Paonta Forest Division, District, Sirmour Himachal Pradesh.
2. Details indicated in the proposal submitted by the Government of Himachal Pradesh vide letter dated 18.01.2020 are as below:-

FACT SHEET

1.	Name of the Proposal	Proposal for seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 for non-forestry use of of 54.668 ha. of forest land for extraction of sand, stone and bajri from bed of river Yamuna mining project by Randeep Singh, Mauza and Mohal Bhagani, District Sirmour, within the jurisdiction of Paonta Forest Division, District, Sirmour Himachal Pradesh
2.	Location:	
	State	Himachal Pradesh.
	District	Sirmour
	Category of the project	Mining
3.	Detail of user agency	
	Name of the user agency	Randeep Singh
	Nature of user agency	Private
4.	Particular of Forests	
	Name of Forest Division	Ponta Sahib Forest Division.
	Area of Forest land proposed for Diversion (in Ha.)	Khasra No.936=13-02-00 bighas=1.04 ha. Khasra No.998 min=635-+08-00 bighas =53.564 ha. Total = 54.668 ha.
	Legal Status of Forest land	Gair mumkin naddi under the Ownership of HP Govt. and possession of Forest Department. (River bed area).
	Density of Vegetation	River bed area.
5.	Maps	

	i. Differential GPS map of the area proposed for diversion	given
	ii. Differential GPS map of the area identified for raising CA	given
	iii. Survey of India toposheet on 1:50,000 scale showing the area proposed for diversion	given
	iv. Survey of India toposheet on 1:50,000 scale showing the area identified for CA	given
	v. Land use plan	given
	vi. Forest Cover map	Not given
	vii. Authenticated DGPS maps for Non-forest land and forest land proposed for diversion.	Not applicable
6.	Vegetation	River Bed Area.
i.	Species-wise (scientific names) and diameter class-wise enumeration of trees to be enclosed.	given
ii.	Number of trees	Total Trees 57
7.	Brief note on vulnerability of the forest area to erosion.	Area is river bed that gets annually recharged in monsoon. Mining carried out as per acts and rules thereof shall not subject the forest area to be erosion.
8.	Approximate distance of proposed site for diversion from boundary of forest	Approx. 50 meters from boundary of nearest Reserve Forest Yamuna C-2.
9.	Whether forms part of 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)	No
10.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	Aquatic winter migrates like Ruddy shelduck, Cormorant, little Grebe etc. and density of flora is very less. Revival species like Khair/Shisham are present in a very scattered manner.
11.	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
12.	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 since mining material exists in river bed and as per auctioning done by mining department, Govt. of HP.
13.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including	No

	period of work done, action taken on erring officials. Whether work in violation is still under progress.	
14.	Shape file / KML file CA and diversion land.	Yes, DSS report is placed (Pg. No. 149-153/c). As per DSS report Proposed area for diversion of forest land falls under Sirmour district of Himachal Pradesh State and Calculated area of forest land is found 55.52 ha. (Note: KML of proposed forest land for diversion is created with the help of coordinates provided in the proposal as the KML file uploaded on parivesh.nic.in website is incorrect.
15.	Details of Compensatory Afforestation Scheme:	
i.	Details of non-forest area/ degraded forest area identified for compensatory Afforestation, its distance from adjoining forest, number of patches, size of each patch.	No non-forest area available for CA. joint certificate of DC & DFO is . However, there is an exemption given for this category as per the provisions made under FCA, 1980 CG at Para 2.5 (i) (e)
ii.	Map showing non-forest/ degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	given
iii.	Detailed compensatory Afforestation scheme including species to be planted, implementing Agency, time schedule, cost structure etc.,	The user agency has been prepared a CA scheme on degraded land for 110 ha. in lieu of 54.668 ha. of forest land proposed for diversion for maintenance of 10 year with the cost structure.
iv.	Total financial outlay for compensatory Afforestation scheme.	₹1,25,58,700/-
v.	Total financial outlay for Net Present Value	₹3,59,16,876/-
v.	Certificate from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view. To be signed by the concerned Deputy Conservatory of Forests.	110.0 ha of land in C.No. 1&2 of Reserve Forest area Yamuna and Mehruwala & C.No.-12 of RF Dhandla Tehsil Paonta Sahib has been proposed. DFO, Paonta Sahib, HP has also certified that land identified for CA is free from encroachment and is suitable for compensatory afforestation.
16.	Documentary evidence in support of settlement of rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 on the forest land proposed to be diverted enclosed.	The District Collector Sirmour, Govt. HP has issued FRA certificate vide his letter no. Peshi-II-8(10-FRA) mining /2017-130680 dated 01.08.2018 for diversion of 54.668 ha. of forest land for extraction of sand, stone and bajri from bed of river Yamuna mining project by Randeep singh, Mauza and Mohal Bhagani, District Sirmour, within the jurisdiction of Paonta Forest Division, District, Sirmour H.P. Documentary evidences in support of settlements of rights under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.
17.	Site Inspection Report of the Divisional Forest Officer	Attached
18.	Whether the project requires environment clearance	As per the information attached. the State Level Environment Impact Assessment Authority, Himachal Pradesh vide its letter No. HPSEIAA/2019/598/3950

		dated 28.11.2019 has issued Environment clearance.
19.	Catchment Area Treatment Plan	Not Applicable.
20.	Rehabilitation of Oustee	Not Applicable.
	Number of SC Families	
	Number of ST families	
	Number of Backward Families	
	Copies of R&R Plan	
21.	Cost Benefit Analysis	Details of CB analysis is provided.
22.	Total Cost of the project	Rs.8 Crore.
23.	Employment Potential	Yes, Approximate 70 persons will be get benefit.
25.	Undertakings to bear the cost of CA and NPV	given
26.	Profile of the District /Division.	
	Geographical Area of the District	45053.42 ha.
	Total Forest Area	28791.69 ha.
	Total area diverted since 1980	940.0577 in Nos. diversion of Forest land cases since 1980.
	Total compensatory Afforestation stipulated in the district /division since 1980	-
	Forest land including penal compensatory Afforestation	1880.1154 ha. Note: It is also clarified that out of 1880.1154 ha. area stipulated for CA in various diversion cases 984.55 ha. area has been distributed to the other DFOs in Nahan Circle for carrying out Compensatory Afforestation.
	Non-forest land	0 ha
	Progress of Compensatory Afforestation as on (date) 31.03.2019	
	Forest land	875.381
	Non-forest land	0 ha
27.	Recommendation with Specific conditions, (if any)	
	DFO	Recommended with specific recommendation: Being a river bed that gets recharged annually by the natural water flow and an average less than 2 trees per ha. in the area to be diverted project is recommended for approval under Forest (Conservation) Act, 1980.
	CF	Recommended
	PCCF/ Nodal Officer (FCA)	Recommended
	State Govt.	Recommended

- As per the para 3.5 (3) of comprehensive guidelines issued vide this Ministry File No.5-2/2017-FC dated 28th March, 2019, the Net Present Value (NPV) are full exempt for Collection of boulders/silts from the river belts in the forest area.

4. The land proposed for diversion forms a part of Gair Mumkin Nadi under the ownership of HP Govt. and possession of Forest Department within the jurisdiction of Paonta Sahib Forest Division, District Sirmmour HP.
5. As per the proposal a total no. of 57 trees of different species has been proposed to be removed which are standing over the forest land proposed for diversion.
6. As per the provisions made under FCA, 1980 Comprehensive Guidelines (CG) issues by the Ministry on 28.03.2019 it has been mentioned in Chapter-2 at Para 2.5 (i) (e) “CA shall be raised and maintained at the cost of the user agency on degraded forest land twice in extent of the forest area diverted in the cases of Extraction of minor materials from the river beds”. The compensatory Afforestation has been proposed on degraded forest land twice in extent of forest area being diverted i.e. 110 ha. of forest land in RF Mehruwala and Dhandla which may be accepted.
7. As per the provisions made under FCA Comprehensive Guidelines (CG) issues by the Ministry on 28.03.2019 it has been mentioned in Chapter-2 at Para 2.5 (ii) “For extraction of minor minerals from the river beds, if forest area to be diverted is above 500 hectares, CA over equivalent area of degraded forest shall be required to be done instead of twice the area being diverted, subject to a minimum of 1000 plants/hectare for compensatory afforestation” but in this case the area is less.
8. Here, it would be pertinent to mentioned that another proposal for seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 in favour of Uttarakhand Forest Development Corporation, Dehradun for renewal of collection of Minor Minerals from 628.8 ha forest land of Song River 1, 2, 3 and Jakhan 1, 2 for 10 years under Dehradun Forest Division, Uttarakhand regarding (Online proposal no. FP/UK/MIN/38285/2019) was discussed in the FAC meeting held on 19.12.2020. In this meeting the Committee deferred the proposal with some general observation including one specific observation as was follows:

"The State Government shall conduct a study to ascertain the impact of such mining in upstream and downstream. The study shall come out with clear recommendation as how such mining is useful in maintaining the natural flow of the river and health of adjoining forest. It should cover the impact of mining in the area in last 10 years. The study may correlate satellite imageries of last 10 years. It may also be ascertained that how much loose boulders and sand can be collected for the purpose of mining every year. The study may be conducted through a recognized institute of repute".

Other informations related to the Project:-

- *LOI in favour of the UA is attached.*
- *Approval of the mining Plan issued by the Govt. of Himachal Pradesh, Department of Industries, Geological Wing has been issued vide letter no. Udyog-BHu(Khani-4)Laghu-449/2016-11004 dated 30.01.2018*
- *Mining Plan of Auctioned Quarry/Area in favour of Sh. Randeep Singh is attached*
- *As per the map attached at page no. 12/c main road is showing far from the proposed site but in the proposal no approach road has been proposed. If agreed, we may ask whether existing road is available or forest/non-forest land will be used for transportation of the material.*

In view of the above, it is proposed that the proposal may be placed before the Forest Advisory Committee (FAC) in its forthcoming meeting scheduled to be held on **23.04.2020** for its examination and appropriate recommendations.
