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-:

- 1. The Government of Himachal Pradesh, Forest Department vide their letter No.Ft.48-3758/2018 (FCA) dated 18<sup>th</sup> January, 2020 has submitted a fresh proposal to the Central Government, for seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 for nonforestry use 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	Extraction of sand, stone and bajri from bed of river Yamuna mining project by Randeep Singh
2.	Location:	
	i. State	Himachal Pradesh.
	ii. District	Sirmour
3.	Category of the project	Mining
4.	Detail of user agency	
	i. Name of the user agency	Randeep Singh
	ii. Nature of user agency	Private
5.	Particular of Forests	
	i. Name of Forest Division	Ponta Sahib
	ii. Area of Forest land proposed for	Khasra No.936=13-02-00 bighas=1.04 ha.
	Diversion (in Ha.)	Khasra No.998 min=635-+08-00 bighas
		=53.564 ha. Total = 54.668 ha.
	iii. Legal Status of Forest land	Gair mumkin naddi under the Ownership of HP Govt. and possession of Forest Department. (River bed area).
	iv. Density of Vegetation	River bed area.
6.	Maps	
	i. Differential GPS map of the area proposed for diversion	Attached with the proposal
	<b>ii.</b> Differential GPS map of the area identified for raising CA	Attached with the proposal

	iii. Survey of India toposheet on 1:50,000 scale showing the area proposed for diversion	Attached with the proposal
	iv. Survey of India toposheet on 1:50,000 scale showing the area identified for CA	Attached with the proposal
	v. Land use plan	Attached with the proposal
	vi. Forest Cover map	Not given
	vii. Authenticated DGPS maps for Non-forest land and forest land proposed for diversion.	Attached with the proposal
7.	Vegetation	River Bed Area.
	i. Species-wise (scientific names) and diameter class-wise enumeration of trees to be enclosed.	No trees to be removed.
	ii. Number of trees	No trees to be removed. The user agency has given undertaking that number of trees lying in the mining lease and mentioned in the case file shall not be felled/harmed during the mining operations.
8.	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.
9.		Approx. 50 meters from boundary of nearest Reserve Forest Yamuna C-2.
10.	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
11.		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.
12.	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.	
13.	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.

	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.  Shape file / KML file CA and diversion land.	Yes uploaded on the PARIVESH portal and has been analysed by DSS cell of FC Division. 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
		In case of CA site: The revised KML file of CA site has been analysed by the DSS Cell.
16.	Details of Compensatory Afforestation	
	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 Sirmaour & DFO is given.  However, this certificate is required form the Chief Secretary of the State.
	ii. Map showing non-forest/ degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	SOI map on scaling 1:50000 has been provided and attached with the proposal.
	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. 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/-
	vi. Certificate from competent authority regarding suitability of area identified for compensatory Afforestation and from management	110.0 ha of land degraded forest land has been proposed for CA in Reserve Forest Dhandla C-2 (30.0 ha), Yamuna C-1 (20 ha), Mehruwala C-1 (20.0 ha), Kandela C-8 (10.0 ha), Yamuna C-2

	point of view. To be signed by the concerned Deputy Conservatory of Forests.	(25.0 ha), Dhandla C-8 (5.0 ha), Tehsil Ponta Sahib District Sirmour. DFO, Paonta Sahib, HP has also certified that land identified for CA is free from encroachment and is suitable for compensatory afforestation.
17.	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 Sirmaur, 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 has been provided and attached in the proposal.
	Site Inspection Report of the Divisional Forest Officer	Attached with the proposal.
19.	Whether the project requires environment clearance	As per the information attached at page no. 62-66/c 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.
20.	Catchment Area Treatment Plan	Not Applicable.
21.	i. Rehabilitation of Oustee	1
	ii. Number of SC Families	
	iii. Number of ST families	Not Applicable.
	iv. Number of Backward Families	
	v. Copies of R&R Plan	
22.	Cost Benefit Analysis	Details of CB analysis has provided and attached with the proposal.
23.	Total Cost of the project	₹8 Crore.
24.	Employment Potential	Yes,
		Approximate 70 persons will be get benefit.
25.	Undertakings to bear the cost of CA and NPV	Yes attached with the proposal.
26.	Profile of the District /Division	
	i. Geographical Area of the District	45053.42 ha.
	ii. Total Forest Area	28791.69 ha.

	T	
	iii. Total area diverted since 1980	940.0577 in Nos. diversion of Forest land cases since 1980.
	iv. Total compensatory Afforestation stipulated in the district /division since 1980	-
		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.
	vi. Non-forest land	0 ha
	vii. Progress of Compensatory Afforestation as on (date) 31.03.2019	O na
		875.381
	ix. Non-forest land	0 ha
27.	Recommendation with Specific condition	ions, (if any)
		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

- **3.** As per the para 3.5 (3) of comprehensive guidelines issued vide this Ministry File No.5-2/2017-FC dated 28<sup>th</sup> March, 2019, the Net Present Value (NPV) are full exempted 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. 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".

## 8. This proposal was considered by the FAC in its meeting on 23.4.2020.

- **9.** FAC after through deliberation and discussion observed that:
  - **i.** The user agency is a private agency and such proposals require payment of NPV and other compensatory levies as per the relevant guidelines.
  - **ii.** The proposal has been duly recommended by different designated authorities of state government.
  - **iii.** Though it is river bed mining, State Government had proposed to fell 57 numbers of trees. The issue need further clarification from the State Government.
  - **iv.** Against the proposal, 110.0 ha degraded forest land in C.No. 1&2 of RF area Yamuna and Mehruwala & C.No.-12 of RF Dhandla Tehsil Paonta Sahib has been proposed for compensatory afforestation.
  - v. The Government of Himachal Pradesh, Forest Department vide their letter No.Ft.48-3758/2018 (FCA) dated 18 <sup>th</sup> January, 2020 has submitted a fresh proposal to obtain prior approval of the Central Government, under Section-2 of the Forest (Conservation) Act, for non-forestry use of 54.668 ha. of forest land for extraction of sand, stone and bajri from bed of river Yamuna river bed, Shri Randeep Singh, Mauza and Mohal Bhagani, District Sirmour, within the jurisdiction of Paonta Forest Division, District- Sirmour, Himachal Pradesh.
- **10. Decision of FAC:** After thorough deliberation and discussion, FAC **deferred the proposal** with following observations: that State Government shall submit following additional information and clarification for appropriate decision on the matter.
  - i. The State Government to confirm that the proposed mining conforms to the DSR (as per EMSMG-2020 and SSMMG-2016 issued by MoEF&CC) of the concerned district.
  - **ii.** The State Government to confirm that the issue of conservation of riverine wildlife biodiversity will be fully addressed during the proposed mining as per direction given by the CWLW of the state Government.
  - **iii.** As trees are important constituent of a riverine ecosystem, the State Government shall explore the possibility of marking barest minimum number of trees for felling.
  - iv. On analysis of CA area through DSS it is observed that a part of the proposed CA area is MDF (Medium Dense Forest). This area cannot be considered as Degraded Forest suitable for CA. Moreover, some patches of CA fall in river bed area. It is not clear from the proposal how the CA, so raised could be protected from inundation and damage during high flood instances. Specific clarification in this regard shall be submitted.
  - v. A representation has been received from BNHS (Bombay Natural History Society) wherein it has been highlighted that the Asan Barage Conservation Reserve (in Uttarakhand state) is about 6 km from the proposed mining area and the proposed mining would have adverse

impact on such conservation area. Specific comments of State Government in this regard shall be submitted.

- **13.** The above observations made by FAC in its meeting on 23.04.2020 were communicated to the State Government of Himachal Pradesh vide this Ministry's letter dated 14 <sup>th</sup> May, 2020.
- **14.** The Nodal Officer-cum-Addl. Pr. CCF (FCA), Government of Himachal Pradesh vide their letter No.Ft.48-3758/2018 (FCA) dated 18<sup>th</sup> August, 2020 has forwarded point wise reply to the observations as raised by the FAC in its meeting dated 23.04.2020. The reply given as under:

S. No.	Observations raised by the MoEF&CC dated 14.05.2020	Reply submitted by the State Govt. of HP dated 18.08.2020
1.	proposed mining conforms to the DSR (as per EMSMG-2020 and SSMMG-2016	In this regard it is informed that the Mining Officer, District, Nahan has submitted his report and confirmed that this lease conforms to the DSR (as per EMSMG -2020 and SSMMG-2016 issued by the MoEF &CC) of the District Sirmour, H.P.  Copy of the DR repot has provided by the State.
2.	issue of conservation of riverine wildlife biodiversity will be fully addressed during	In this regard it is informed that the Divisional Forest Officer, Paonta Sahib, H.P. has submitted an undertaking regarding conservation of riverine Wildlife Biodiversity during the proposed Mining.
3.	riverine ecosystem, the State Government shall explore the possibility of marking	In this regard it is informed that the user agency has undertaken that number of trees lying in the mining lease and mentioned in the case file shall not be felled/harmed during the mining operations. Copy of the undertaking is attached with the proposal.
4.	observed that a part of the proposed CA area is MDF (Medium Dense Forest). This area cannot be considered as Degraded Forest suitable for CA. Moreover, some patches of	
		i. CA has been proposed in 6 patches which are located in Sirmaur District of Himachal Pradesh State. Legal Status of the CA land cannot be

- ascertained due to unavailability of Recorded Forest Area (RFA) boundary of Himachal Pradesh State on DSS web application.
- Out of total area proposed for CA, 3 ii. ha of land is classified as very dense forest, 4 ha of land is classified as moderately dense forest, 38 ha as open forest and 68ha of land as nonforest in terms of forest classes (as per the ISFR 2019) based on the interpretation of satellite data period 2017-2018.
- 5. mining would have adverse impact on such given as under: conservation area. Specific comments of State Government in this regard shall be submitted.
- A representation has been received from In this regard it is informed that the comments of BNHS (Bombay Natural History Society) Chief Wild Life Warden (CWLW) of Uttarakhand wherein it has been highlighted that the State. The Chief Wild Life Warden (CWLW) of Asan Barage Conservation Reserve (in Uttarakhand is submitted that the matter has been Uttarakhand state) is about 6 km from the got inquired into through CCF, WL Shimla and on proposed mining area and the proposed the basis of his report the comments of CWLW are
  - i. That the above cited mining project is located at a distance of more than 10 Kms. From the boundary of Col. Sher Jung National Park.
  - ii. That there will not have any negative impact on the wildlife flora and fauna of Col. Sher Jung National Park.
  - iii. The CCF, WL Shimla further stated that Asan Barrage Conservation Reserve mentioned under point No.5 jurisdiction under the Government Uttarakhand, of therefore, the comments should be sought from Uttarakhand forest Department.

Further, CWLW, Dehradun, vide his letter No.498/12-1 dated 11.08.2020 has submitted their comments on the above cited para (iii).

## **Detail of the District Survey Report:**

# **Methodology adopted for calculation of Mineral Potential:**

The mineral potentials have been calculated based on field investigations and geology of the catchment area of the river/streams. It is also important to mention here that the there is a provision in the River/Stream Bed Mining Policy Guidelines where collection of material up to a depth of one meter is

allowed in a single season where mineral concession have been granted. As per the provision in the River/Stream Bed Mining Policy Guidelines, only 60% of the area of the particular river/stream bed has been taken into account for calculation of mineral potential. It is noticed that during flood season whole of the pits so excavated is completely filled up and as such the excavated area is replenished with new harvest of mineral. Mineral constituents like boulder, river borne bajri, sand upto a depth of one metre are considered as resource mineral. Other constituents like clay and silt are exclude as waste while calculating the mineral potential of particular river/stream. The specific gravity of each mineral constituent is different. While calculating the mineral potential, the average specific gravity is taken as 2.25. The percentage of mineral constituents like boulder, river borne bajri, sand are aslo varies for different river/stream. While calculating the mineral potential the percentage of each mineral constituent is taken as, 35-40% for Boulder, 30-35% for river born Bajri, 25-30% for sand and 5-15% for silt and clay. The deposition in river beds is more pronounced during rainy season. Although the quantum of deposition is varies from stream to stream depending upon numbers of factors such as catchment lithology, discharge, river profile and geo morphology of the river course. However there are certain geo morphological features developed in the river beds such as channel bars, point bars etc. where annual deposition is much more even two to three metres. The annual deposition of minor mineral in the different river/stream beds has been calculated on the basis of field investigations and geology of the catchment area of the river/streams. The rate annual deposition of minor mineral in the different river/stream beds of district Sirmour varies from 20-25%.

- 2. Description of Rivers/Streams
- 2.1 Yamuna Topo-sheet No. 53F/11 and 53F/15)

# General

Yamuna River is one of the major tributaries of the Ganga river system. This river originates from the Jamnotri Mountain in the Himalayas at a height of about 6387 m from the mean sea level. Drainage pattern of the Yamuna River is of dendritic type. Total length of Yamuna river in Himachal Pradesh is about 31 Km and the total catchment of this area is approx. 270 Sq. Km.

Portion of the	heLength	of	Area	Average	Width	of	Area		Mineable	Minor
River/Stream	Recomm	ended	for	Area Re	commer	nd	Recommended	for	Mineral	Potential
Recommended f	or Mineral	Conce	ssion	for	Miner	al	Mineral		(in Metri	c Tonn)
Mineral Concession	(in km)			Concessi	on (	in (	Concession (in	Sq.	(60%of	total
				Meter)		1	meter)		mineral P	otential)
From Downstrea m	of 31			478			14818000		16803612	2
Confluenc e with To	ns									
River to Behral ne	ar									
Haryana and Utt	ar									
Pradesh Border										

## Present status of mining.

Presently there are 9 mining leases in operation in Yamuna river. Out of these, 6 mining leases have been granted for running the stone crushers and 3 mining leases for extraction of minor mineral for free sale. The detail is as under:

#### For free sale

1. Sh. Inder Singh, S/O Sh. Sunder Singh, VPO Kamrau, Sub Teh. Kamrau, Distt. Sirmour, H.P 2-66-75 Hect. (32 Bighas) 2. Shri Brijender Singh, S/o Shri Ujjagar Singh, Village Haripur Tohana, P.O. Shivpur, Tehsil Paonta Sahib, Distt. Sirmour, H.P. 13-0 Bighas 3. Sh. Lakhvinder Singh, Flat No. 824, HIG, Phase-2, Mohali, Punjab 49-6 Total Area 94.6 Big

Sr.	Name of the Party	Area
No		
	Sh. Inder Singh, S/O Sh. Sunder Singh, VPO Kamrau, Sub Teh.	2-66-75 Hect. (32 Bighas)
	Kamrau, Distt. Sirmour, H.P	
2.	Shri Brijender Singh, S/o Shri Ujjagar Singh, Village Haripur Tohana,	13-0 Bighas
	P.O. Shivpur, Tehsil Paonta Sahib, Distt. Sirmour, H.P.	
3.	Sh. Lakhvinder Singh, Flat No. 824, HIG, Phase-2, Mohali, Punjab.	49-6
	Total Area	94.6 Bighas

#### For stone crusher

S. No.	Name of the Party	Area		
	Shri Mahender Singh, S/o Shri Sohan Singh,Devi Nagar, Tehsil Paonta Sahib, Distt. Sirmour, H.P.	122-06 Bighas		
2.	Smt. Shubhlata Sharma, W/o Sh. M.M. Sharma, H.No. 214, Ward No. 10, Devi Nagar, Paonta Sahib, Distt. Sirmour, H.P.	18-18 Bighas		
3.	M/s Akhilesh Enterprises, Prop. Malini Jung, Village Ganguwala, 24.0 bighas Tehsil Paonta Sahib, Distt. Sirmour, H.P.			
4.	Sh. Lakhvinder Singh, Flat No. 824, HIG, Phase-2, Mohali, Punjab 60-00 bighas			
5.	M/s Yamuna Mines & Minerals, C/o Shri Sher Singh Negi, House No. 124-17 Bighas 16 Ward No. 6, Devi Nagar, Paonta Sahib, Distt. Sirmour, H.P.			
	Smt.Meera Chandel, W/o dr. Hakam Chandel Chandel, 186/10, Devi Nagar, Paonta Sahib, Distt. Sirmour, H.P.	4-70-10 Hect.		
	Total Area	406-12 Bighas		

The production of the minor minerals from these mining leases for last three years is as under:

Year	<b>Production (in MT)</b>
2013-14	141502
2014-15	336892
2015-16	139800

## Minor Mineral Potential in the River Bed.

As the stream cut its course through the boulder beds of Siwalik rocks and this formation is the prominent source of annual deposition in the riverbeds. During flood season, the water carries heavy sediment load comprising gravels and sand which are deposited in the bed of stream. The following mineral potentials have been calculated based on the %age of each mineral constituent like boulder, river borne bajri and sand. The annual deposition of minor mineral in the riverbed has been calculated by taking into consideration the annual deposition of about 20%.

Table Showing Minor Mineral Potential and Annual Deposition of Yamuna River:

Mineral Potential							
Boulder (in MT)	River Born Bajri (in MT)	Total Mineable Mineral Potential (in MT)					
5601204	6801462	4400946	16803612				
<b>Annual Deposition</b>							
2240482	2720558	1760378	6721445				

#### **Recommendation of DSR:**

It is evident from the above table that about 16803612 metric tones of different sizes of minor minerals are available upto depth of one metre in the river bed of Yamuna River in the Sirmour District. Similarly the annual deposition of minor mineral in the river bed is approximately to the tune of 6721445 metric tones. At present average annual production is around 80,000 metric tones from the river bed. As such 16803612 metric tones of minor mineral can safely be lifted from the river bed. It is therefore recommended that mineral concession can be granted in the right bank of the river bed from downstream of confluence with Tons River to village Behral near Haryana and Uttar Pradesh Border.

In view of the above, it is proposed that the proposal along with information as submitted by the Nodal Officer-cum-Addl. Pr. CCF (FCA), Government of Himachal Pradesh, may be placed before the Forest Advisory Committee in its forthcoming meeting scheduled to be held on 21.09.2020 for its examination and appropriate recommendations.

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