

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

Indira Paryavaran Bhawan,
Jorbagh Road, Aliganj,
New Delhi – 110003

Dated: 4th February 2021

To,

The Addl. Secretary (Forests),
Department of Forests,
Government of Uttarakhand,
Dehradun

Sub: 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)

Sir,

I am directed to refer to the Government of Uttarakhand's letter No. no.971/X-4-19/2(51)/2019 dated 23rd September, 2019 on the above mentioned subject, seeking prior approval of Central Government under Section-2 of the Forest (Conservation) Act, 1980, and to say that the said proposal has been examined by the Forest Advisory Committee (FAC) constituted by the Central Government under Section-3 of the aforesaid Act.

2. After careful consideration of the proposal of the Government of Uttarakhand and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby agrees **to accord Stage-I / In-principle** approval under Section 2 of the Forest (Conservation) Act, 1980 for seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 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, subject to the following conditions:

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department and compliance is to be submitted prior to Stage-II approval:

- i. ***Bamboo plantation shall be raised between the mining area in the river bed and the nearby areas at project cost to avoid soil erosion and also protect agriculture fields. The state government may coordinate to dovetail the schemes of Ministry of Agriculture and Farmers' Welfare, Government of India in this regard;***
- ii. ***Copy of this approval shall be marked to National Commission for Clean Ganga (NMCG), Ministry of Jal Shakti (Department of Water Resources, River Development & Ganga Rejuvenation, Government of India for reference;***
- iii. The State Govt. shall upload the KML file of forest area under diversion and degraded forest land identified and accepted for raising CA/already carried out CA, in the E-Green Watch portal of FSI;
- iv. The State Government shall ensure that User Agency obtains clearance under the provisions of Scheduled tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in accordance with the relevant guidelines issued by the MoEF&CC in this regard and a report on the same is submitted to the Ministry along with compliance of Stage-I approval.

B: Conditions which need to be complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted and compliance to be submitted prior to Stage-II approval:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. 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;
- iii. Forest land will be handed over only after required non-forest land for the project is handed over to the user agency;
- iv. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish 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;
- v. User agency either himself or through the State Forest Department shall undertake afforestation on degraded forest land, at project cost, one and half time in extent to the area used for safety zone;
- vi. Period of diversion of the said forest land under this approval shall be for a period of 10 years from the date of issue of Stage-I approval;
- vii. The User Agency shall obtain the Environment Clearance as per

the provisions of the Environmental (Protection) Act, 1986, if required;

- viii.No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- ix.The boundary of the diverted forest land, mining lease and safety zone, as applicable, 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 co-ordinates;
- x.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;
- xi.No damage to the flora and fauna of the adjoining area shall be cause;
- xii.The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government;
- xiii.The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xiv.**State government shall ensure that the extraction of minor mineral is carried out manually. Further, heavy machineries shall not be used for extraction of sand, stone and Bajri from the riverbed;**
- xv.**The extraction of minor mineral shall be as per the recommendations of morphological study report done by Central Soil & Water Conservation Research & Training Institute, Dehradun;**
- xvi.**Sustainable Sand Mining Management Guidelines 2016, MoEF&CC as updated from time to time shall be followed;**
- xvii.**The sale proceeds from collection of minor minerals from forestland of Song River 1, 2, 3 and Jakhan 1, 2 shall be used for protection/ conservation of forests;**
- xviii.**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 shall also be followed;**
- xix.The complete compliance report of each and every conditions laid down in this approval shall be uploaded on e-portal (parivesh.nic.in);

xx. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

xxi. The User Agency shall submit 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;

xxii. The user agency 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.

After receipt of the report on compliance to the conditions stipulated in the paragraph-2 above, from the Government of Uttarakhand final / stage-II approval for diversion of the said forest under Section-2 of the Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer of the said forest land to the user agency shall not be effected by the Government of Uttarakhand till final/stage-II approval for its diversion is issued by this Ministry.

Yours faithfully,

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests (HoFF), Government of Uttarakhand, Dehradun.
2. The Joint Secretary, National Commission for Clean Ganga (NMCG), Ministry of Jal Shakti (Department of Water Resources, River Development & Ganga Rejuvenation, Government of India.
3. The Regional Officer, Integrated Regional Office (North-II), Dehradun.
4. The Nodal Officer, (FCA), Government of Uttarakhand, Dehradun,
5. User Agency.
6. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.