

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

Indira Paryavaran Bhawan
Aliganj, Jor bagh Road
New Delhi- 110003
Dated:11-02-2026

To,

The Special Chief Secretary (Forests),
Department of Forests & Environment,
Government of Assam,
Dispur.

Subject: Proposal for seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s Fatik Das for non-forestry use of 5.4 ha Reserved Forest for operation of Gopeswar Stone Quarry & Mining Zone Area under North Kamrup Division in Kamrup District in the State of Assam (Online proposal No. FP/AS/QRY/37021/2018)- regarding.

Sir/Madam,

I am directed to refer to Government of Assam online proposal No. FP/AS/QRY/37021/2018 on the above mentioned subject, seeking prior approval of Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, and to say that the said proposal has been examined by the Advisory Committee (AC) constituted by the Central Government under Section- 3 of the aforesaid Act.

2. After careful consideration of the proposal of the Government of Assam and on the basis of the recommendations of the Advisory Committee (AC), the Central Government hereby agrees to accord **Stage-I / In-principle** approval under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s Fatik Das for non-forestry use of 5.4 ha Reserved Forest for operation of Gopeswar Stone Quarry & Mining Zone Area under North Kamrup Division in Kamrup District in the State of Assam subject to the following conditions:-

- i. Legal status of the forest land shall remain unchanged;
- ii. The Compensatory Afforestation shall be raised over 5.914 ha non-forest land in Dakshin Mandakata under Sila Range of North Kamrup Division at the cost of the Project within two years from the date of grant of Stage II approval;
- iii. The non-forest land shall be transferred and mutated in favour of the State Forest Department or shall be notified by the State Government as Protected forest under section 29 of the Indian Forest Act, 1927 or under the relevant section(s) of the local Forest Act, before handing over the forest land to the user agency;

- iv. The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation as per the approved CA Scheme at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal;
- v. ***A site-specific Wildlife Management Plan shall be prepared by the State Government, for the conservation and protection of wildlife in the area. The said Plan will be approved by the Chief Wildlife Warden of the State and a copy of the same shall be submitted along with the compliance of in-principle approval. The cost of preparation and implementation of the Wildlife Management Plan shall be borne by the user agency;***
- vi. ***All stone quarries proposed in the area were observed with broken up area for which no valid justification is provided by the State. The State Government may therefore, estimate the forest areas broken up under violation without the prior approval of the Central Government and details of the same shall be submitted along with the compliance of in-principle approval;***
- vii. ***In the extant mine, an area of 4.35 ha has been broken up in the past as per analysis of Google Satellite Imagery for which no justification has been provided by the State. The State Government shall therefore work out the exact area broken up without the prior approval of the Central Government and detail of the same shall be submitted along with the compliance of in-principle approval.***
- viii. ***In respect of forest area, if any, proved to be broken up without the approval under the Adhinyam, the following action shall be taken by the State Government:***
 - a. ***The penal compensatory afforestation, against the area used in violation of the Van (Sanrakshan evam Samvardhan) Adhinyam, 1980 shall be charged by the State Government in accordance with the provisions of the Guidelines issued by the Ministry on 21.01.2026 in this regard.***
 - b. ***The State Government shall realize from the user agency the penal NPV for the extent of forest area, if any used in violation of the Adhinyam plus 12 percent simple interest from the date of raising of such demand till the deposit is made by the User Agency in accordance with provision of guidelines, as the case may be.***
 - c. ***The penal NPV for the extent of violation done will be deposited as per the Guidelines issued by the Ministry.***
 - d. ***The State Government shall initiate action penal proceedings against***

the erring officials in accordance with the provisions of the section 3 A and 3 B of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980

- ix. ***The State Government shall submit the detail of approval granted under the Van (Sannrakshan Evam Samvardhan) Adhinyam, 1980 in the extant mining lease and details of the same shall be submitted along with the status of compliance of conditions stipulated therein;***
- x. ***The State Government shall prepare plan for the rehabilitation and reclamation of the mined out areas and detail of the same shall be informed along with the compliance of in-principle approval;***
- xi. ***The State Government shall ensure that mining in the area, including the extant mine, is in consonance with the provisions of District Survey Report prepared by the State Government and approved by the State Level Environment Appraisal Committee for sustainable mining within the estimated ceiling of mineable reserve;***
- xii. ***An I.A. No. 218391/2024 in W.P. (C) No. 202/1995 has been filed before the Hon'ble Supreme Court alleging illegal mining (stone quarrying) in certain districts of Assam, including the extant forest area, which is presently pending consideration before the Hon'ble Supreme Court. The decision to be rendered by the Hon'ble Supreme Court in the said I.A. shall be binding on the user agency, and the State Government shall accordingly ensure strict compliance with the directions issued by the Hon'ble Supreme Court in the matter;***
- xiii. ***The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC (pt.) dated 29.12.2023 in this regard;***
- xiv. ***At the time of payment of the Net Present Value (NPV) at the present 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;***
- xv. ***The Compensatory levies to be realized from the User Agency under the project shall be transferred/ deposited, through e-challan, in to the account of National Authority, CAMPA pertaining to the State concerned through e-portal (<https://parivesh.nic.in/>);***
- xvi. ***The KML files of proposed area for diversion and the CA area shall be uploaded on the e-Green watch portal with all requisite details;***

- xvii. The complete compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);
- xviii. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- xix. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xx. The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent Reclamation Plan as per the approved Mining Plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the DDGF (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
- xxi. The user agency shall prepare a schedule for surrender of the mined out and reclaimed forest land in accordance with existing mining plan and submit the same along with an undertaking to surrender the mined out and reclaimed forest land as per such schedule to the MoEF&CC before grant of '*Final*' approval under the Adhiniyam for diversion of the said forest land;
- xxii. The rehabilitated forest area after closure of mining operations shall be handed over to the State Forest Department for sustainable forest management in the future;
- xxiii. **Safety Zone Management:** Following activities, at project cost, shall be undertaken by the user agency for the management of safety zone as per relevant guidelines issued by the Ministry's guidelines:
 - a. User agency shall ensure demarcation of safety zone (7.5 meter strip all along the inner boundary of the mining lease area), and its fencing, protection and regeneration by erecting adequate number of 6 feet high RCC boundary pillars inscribed with DGPS coordinates with barbed wire fencing and deploying adequate number of watchers under the supervision of the State Forest Department;
 - b. Boundary of the safety zone of the mining lease, adjacent to habitation/roads, should be properly fenced by the user agency;
 - c. Safety zone shall be maintained as green belt around mining lease and to ensure dense canopy in the area, regeneration shall be taken up in this area by the user agency at project cost under the supervision of the

- State Forest Department; and
- d. The State Government and the user agency shall ensure that safety zone is maintained as per the prescribed norms;
- xxiv. Following activities, as per approved plan / schemes, shall be undertaken in the lease area by the User Agency under the supervision of the State Forest Department:
- a. Mitigative measures to minimize soil erosion and choking of stream shall be implemented within a period of three year with effect from the issue of '*Final*' approval in accordance with the approved Plan/Scheme in consultation with the State Forest Department;
 - b. Planting of adequate drought hardy plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved Plan/scheme;
 - c. Construction of check dams, retention /toe walls to arrest sliding down of the excavated material along the contour in accordance with the approved Plan/Scheme;
 - d. Stabilize the overburden dumps by appropriate grading/benching, in accordance with the approved scheme, so as to ensure that angles of repose at any given place is less than 28^0 ; and
 - e. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan.
- xxv. The validity of approval granted under the Adhiniyam shall be for a period co-terminus with the validity of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended from time to time or Rules framed there under, or for such period as may be specified by the Central Government;
- xxvi. The User Agency either himself or through the State Forest Department shall undertake gap planting and soil and moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located within the periphery of 100 m from outer perimeter of the mining lease as per approved plan for plantation and SMC activities submitted along with compliance of 'in-principle' approval;
- xxvii. The User Agency shall regularly undertake desilting of village tanks and other water bodies, located within five km from the mine lease boundary, as per approved plan, to mitigate the impact of project on such tanks/water bodies;
- xxviii. The User Agency shall comply with the Hon'ble Supreme Court order on re-grassing, and re-grass the mining area and any other areas which may have been disturbed due to mining to restore them to a condition which is fit for

- growth of fodder, flora, fauna, etc. in a timely manner;
- xxix. Adequate care shall be taken to check any rolling of overburden/dumps beyond the designated area and to check soil erosion caused due to mining activities;
- xxx. The User Agency will undertake comprehensive soil and moisture conservation measures at the project cost in consultation with the State Forest Department. A scheme of the same shall be submitted along with the 'in- principle' approval;
- xxxi. The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
- xxxii. No labour camp shall be established on the forest land and no work shall be allowed after sunset;
- xxxiii. 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;
- xxxiv. The forest land shall not be used for any purpose other than that specified in the proposal;
- xxxv. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- xxxvi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xxxvii. 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;
- xxxviii. No damage to the flora and fauna of the adjoining area shall be caused;
- xxxix. 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;
- xl. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xli. The State Government, before issuing the final diversion order, shall ensure that the user agency has complied with all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s), including compliance of Forest Rights Act, 2006, pertaining to this project, for the time being in force, as applicable to the project;
- xlii. 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;
- xliii. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and user agency;
- xliv. The User Agency and the State Government shall comply all the provisions of 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; and
- xlv. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 as issued by this Ministry's letter No. 5-2/2017-FC dated 29.12.2023;

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,

Sd/-
(Charan Jeet Singh)
Scientist 'E'

Copy to: -

1. The PCCF & HoFF, Government of Assam, Guwahati.
2. The DDGF (Central), Regional Office, Shillong.
3. The CCF-cum-Nodal Officer, Government of Assam, Guwahati.
4. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading.
5. The User Agency.