

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

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Indira Paryavaran Bhawan  
Aliganj, Jor bagh Road  
New Delhi- 110003  
**Dated:30-09-2024**

To

**The Principal Secretary (Forests),**  
Department of Forests & Environment,  
Government of Meghalaya,  
Shillong.

**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 Green Valley Industries Ltd. for non-forestry use of 11.09 ha of deemed forest land for Opencast Limestone Mining Project (10.71 Ha Mining Area + 0.38 ha approach road to mine) located at Madan Pyrda, Chiehruphi Village in East Jaintia Hills District in the State of Meghalaya (Online Proposal No. FP/ML/MIN/40422/2019)- regarding.**

Sir/Madam,

I am directed to refer to Government of Meghalaya letter No. FOR.64/2021/91 dated 18.04.2022 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 Meghalaya and on the basis of the recommendations of the Advisory Committee (AC), the Central Government hereby agrees to accord **Stage-I / In-principle** approval Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s Green Valley Industries Ltd. for non-forestry use of 11.09 ha of deemed forest land for Opencast Limestone Mining Project (10.71 Ha Mining Area + 0.38 ha approach road to mine) located at Madan Pyrda, Chiehruphi Village in East Jaintia Hills District in the State of Meghalaya, subject to the following conditions:-

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- iii. The Compensatory afforestation over an area of 11.09 ha. non forest land at Nongumiang Village of West Khasi Hills District, shall be raised by the State Forest Department at the project cost within two years from the date of grant of Stage- II approval;
- iv. **The non-forest land identified for the CA shall be mutated in the name of forest department and notified as forest before**

**submission of compliance of Stage-II;** A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval;

- v. **The non-forest land for CA should be free from all encumbrances at the time of submission of compliance report and State government will submit a report in this regard after jointly verified by the a team of State Forest Department and Regional Office;**
- vi. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars, if required, on the CA land, shall be deposited in advance with the Forest Department by the user agency. The CA will be maintained for 10 years. The scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years, into the account of National Authority, CAMPA managed by the State Govt.;
- vii. The land identified for plantation of ten times the number of trees shall be clearly depicted on a Survey of India topo sheet of 1:50,000 scale;
- viii. **As recommended by the REC following conditions shall also be complied with for which cost would be borne by the User Agency:**
  - A. **Survey of Floral and Faunal of the area under Eco-Sensitive Zone.**
  - B. **Nature Interpretation Centre including all accessories, interior designing, sitting benches, approach road etc.**
  - C. **Creation of an Arboretum.**
- ix. The State Government shall upload KML files of the polygons of forest area under diversion and degraded forest area identified and accepted for raising compensatory afforestation, in the E-Green watch portal with all the requisite details prior to **Stage-II/final approval**;
- x. The user agency shall transfer the funds towards the cost of 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 dated 06.01.2022 read with 22.03.2022 through online portal of CAMPA account of the State Concerned;
- xi. 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;
- xii. 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/>);

- xiii. The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted as per the sub-rule (7) of Rule 11 of the Van (Sanrakshan Evam Samvardhan) Rules, 2023;
- xiv. The complete compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);
- xv. 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. Approved scheme/plan shall be submitted to the Ministry along with compliance of Stage-I approval:
  - 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 Stage-II clearance in accordance with the approved Plan in consultation with the State Forest Department;
  - b. Planting of adequate plant species and sowing of seeds, in the appropriate area within the mining lease to arrest soil erosion in accordance with the approved 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 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 280; and
  - e. No damage shall be caused to the top-soil and the user agency will follow the top soil management plan;
- xvii. Safety Zone Management activities at the project cost shall be undertaken by the User Agency for 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 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;
- xviii. Trees should be felled in phased manner as per the requirement in the approved Plan with prior permission of concerned DFO;
- xix. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- xx. The user agency shall explore the possibility of translocation of

- maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xxi. 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, 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 concern Addl. Principle Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed;
  - xxii. 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;
  - xxiii. 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;
  - xxiv. Period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under;
  - xxv. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
  - xxvi. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
  - xxvii. User agency shall provide free water for forestry related activities/projects;
  - xxviii. 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;
  - xxix. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
  - xxx. 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, distance from pillar to pillar and GPS coordinates;
  - xxxi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
  - xxxii. The forest land shall not be used for any purpose other than that specified in the project proposal;

- xxxiii. 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;
- xxxiv. No damage to the flora, fauna or the environment of the adjoining area shall be caused; Adequate measures to ensure no damage to the adjoining areas should be taken by the User Agency at the project cost;
- xxxv. 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;
- xxxvi. 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;
- xxxvii. 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;
- xxxviii. 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; and
- xxxix. 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 consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 issued in 2019 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.

faithfully,

Yours

**Sd-**

**(S. Sundar)**

Assistant Inspector General of Forests

**Copy to: -**

1. The Principal Chief Conservator of Forests & HoFF, Government of Meghalaya, Shillong.
2. The DDGF (C), Regional Office, Shillong of MoEFCC.
3. The APCCF-cum-Nodal Officer, Government of Meghalaya, Shillong.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading.