



भारतसरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
क्षेत्रीय कार्यालय
REGIONAL OFFICE
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F. No. 3-MG C 005/2023-SHI/

1243-44

27th July, 2023

सेवामे,

आयुक्त और सचिव/ Commissioner & Secretary,
मेघालय सरकार/ Government of Meghalaya,
वन और पर्यावरण विभाग / Forests & Environment Department,
शिलॉंग / Shillong.

Sub: Proposal for diversion of 5.156 Ha of deemed forest land for shale – siltstone mining in favour of M/s Lafarge Umiam Mining Pvt. Limited-reg.

Sir,

I am directed to refer to the Government of Meghalaya's letter No. FOR.10/2018/206 dated 18th January, 20213 on the subject mentioned above seeking prior approval of the Central Government under Section-2 (ii) of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Regional Empowered Committee (REC) constituted by the Central Government under Section-6 of the aforesaid Act.

2. After careful examination of the proposal of the State Government and on the basis of the recommendations of the Regional Empowered Committee, and its acceptance by the competent authority in the Ministry, the **In-principle / Stage-I** of the Central Government is hereby accorded for diversion **5.156 Ha** of deemed forest land for shale – siltstone mining in favour of M/s Lafarge Umiam Mining Pvt. Limited, subject to fulfillment of the following conditions:

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

1. The user agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
2. The user agency shall transfer, the Net Present Value (NPV) of the forest land being diverted under this proposal as per the latest guidelines of MoEF & CC dated 06.01.2022. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned;
3. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA account only through e-portal(<https://parivesh.nic.in>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;
4. **Submission of revised component wise breakup provided in Mining Plan to match with the total proposed area for diversion and as per the Forest Conservation Rules 2003, rule 7(2)(c) to (g).**
5. The User Agency shall transfer the cost for the mitigation measures for conservation of Dark Swift & Red Serow and for awareness creation at Rs.12,50,000 to the State Forest Department.
6. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost as per the directions of the concerned Divisional Forest Officer;
7. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;

8. The charges for felling, logging and transportation of project affected trees should be collected from the User Agency at the rates approved by the State Govt and deposited with DFO concerned for utilization immediately following the diversion of forest land;
9. 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;
10. The KML files of the area to be diverted, the CA areas shall be uploaded on the e-Green watch portal before issue of final approval by the State Government.
11. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);

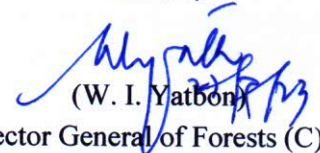
B: Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

1. The legal status of the forest land shall remain unchanged;
2. Compensatory afforestation shall be raised and maintained by the State Forest Department over an area of **5.156 ha non-forest** land identified at Nongumiang, West Khasi Hills District, Meghalaya, as per the fund deposited by the User Agency & scheme furnished by the State Govt with proper fencing as per the scheme prepared;
3. The non-forest land transferred and mutated in favour of the State Forest Department shall be notified by the State Government as Reserve Forest/Protected Forest under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act latest within a period of six months from the date of issue of Stage-II approval. The Nodal Officer shall report compliance in this regard along with 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(s) of the local Forest Act as the case may be, within the stipulated period to the Central Government for information and record.
4. Permanent demarcation of forest land for diversion shall be done on the ground at project cost before handing over the forest land to the User Agency;
5. The user agency shall obtain the mandatory Environment Clearance as per the provision of Environment (Protection) Act 1986;
6. No labour camp shall be established on the forest land;
7. 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;
8. The forest land shall not be used for any purpose other than that specified in the proposal;
9. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government;
10. The User Agency shall not expand its occupation or use surrounding forest/forest land in any manner otherwise expressed in this clearance;
11. Land so diverted shall revert back to the Forest Department in case it is not needed for the above use after due restoration to its original status (as far as possible and to the satisfaction of state Forest Deptt.);
12. The User Agency shall take all possible precautions & care all the time not to impact adversely the surrounding forests and forest land by their actions/activities
13. Tree felling shall be done only when absolutely unavoidable and such removal, if any, shall be done under the supervision of the Forest Department;
14. The layout plan shall not be changed without the prior approval of the Central Government;
15. In case of change from exploration to production the User Agency shall follow Ministry's guideline dated 13.07.2022.

16. 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;
 17. The User Agency shall undertake mining as per the Mining Plan / Scheme for mining in respect of Shale-Siltstone in a phase 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, Forest (Conservation) Act 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 concerned Dy. Director General(Central) may direct that the mining activities shall remain suspended till such time reclamation activities are satisfactorily executed;
 18. 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;
 19. The user agency shall comply with 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;
 20. All other clearance/NOCs under different applicable rules/regulations /local laws and under Forest Dwellers (Recognition of Forest Rights)Act, 2006 as required vide MoEF, New Delhi guideline No.11-9/1998-FC(pt) dated 03.08.2009 shall be complied with;
 21. This approval may be revoked if the above conditions of approval are not complied to the satisfaction of the Integrated Regional Office, Shillong;
 22. Any other condition that the Ministry of Environment, Forests & Climate Change, IRO, Shillong may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife. The State Government shall ensure compliance of all the above conditions;
 23. As per Ministry's letter No 11-30/96-FC(Pt) dt 14.9.2001, if the compliance of stipulated conditions is awaited from the State Govt for more than 5(five years, the in-principle approval would be summarily revoked considering that the user agency is no longer interested in the project;
3. After receipt of the compliance report from the State Government on fulfilment of the conditions mentioned above, final approval will be issued in this regard. Formal transfer of forest land shall not be effected by the State Govt till final approval is granted by the Central Government.

This has the approval of Deputy Director General of Forests (C).

भवदीय,


(W. I. Yatbon)

वनउपमहानिरीक्षक (केंद्रीय)/ Deputy Inspector General of Forests (C)

Copy to:

1. The Principal Chief Conservator of Forests & HoFF, Govt of Meghalaya, Department of Forests & Environment, Sylvan House, Lower Lachumiere, Shillong- 793001.

वनउपमहानिरीक्षक (केंद्रीय)/ Deputy Inspector General of Forests (C)

o/c