

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

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

Dated: 25th March, 2021

To

The Addl. Chief Secretary (Forests),
Government of Himachal Pradesh,
Shimla.

Sub: Proposal for seeking prior approval of the central Government under Section 2 of the Forest (Conservation) Act, 1980 for non-forestry use of 172.30 ha of forestland in favour of Cement Corporation of India Ltd (CCIL) for the renewal of Mining Lease of Manal Limestone Mine within the jurisdiction of Poanta Forest Division Distt. Sirmour of the State of Himachal Pradesh (Online Proposal No. FP/HP/MIN/9286/2013).

Sir,

I am directed to refer to the Himachal Pradesh, Forest Department's letter Ft.48-130/1992 (FCA) dated 05.08.2020 on the above mentioned subject, seeking approval of the Central Government for extension in validity of Forest clearance for non-forestry use of 172.30 ha of forest land in favour of Cement Corporation of India Ltd (CCIL) for the Mining lease of Manal Limestone Mine within the jurisdiction of Poanta Forest Division Distt. Sirmour, 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 Forest(Conservation) Act,1980.

The Forest Advisory Committee observed that the issue is of valid Forest clearance which is held in abeyance on account of non-payment of NPV on total diverted land as per clause 7.3 (iii) of the Chapter 7 of the Handbook of Forest (Conservation) Act, 1980 and the Forest Conservation Rules, 2003 rather than seeking approval under Section 2 of the Forest (Conservation) Act, 1980. In this case the NPV was to be paid on or before 31.03.2017.

After careful consideration of the proposal of Himachal Pradesh Government and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby conveys its approval for restoration of Forest clearance held in abeyance due to non-payment of NPV and concurs that the approval for diversion of forest land accorded vide letter dated 22.03.1999 shall be deemed to be co-terminus with the period of the mining lease i.e. till 03.08.2023 subject to the following conditions:

- i. The user agency will make the full payment of the NPV for the entire forest area of 172.3ha along with the penal interest for delay in deposition of NPV beyond 31.03.2017.

- ii. The User Agency will pay penal interest on the late payment of NPV w.e.f. 01.04.2017 till such payment is made, and the penal interest rate shall be double the annual interest rate on 'public account' CAMPA Fund of the respective year or @12% per annum, whichever is higher. The quantum of penal interest will be calculated based on compounding of penal interest on annual basis.
- iii. State Government will submit a report on deposition of NPV for total extent of diversion, penal interest as prescribed above and other pending compliance of stage II approval of 22.03.1999 prior to validating final approval which is now in abeyance.

Yours sincerely,

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests (HoFF), HP Forest Department, Talland, Shimla.
2. The Regional Officer (Central), Integrated Regional Office (NCZ), Shimla.
3. The Nodal Officer (FCA), HP Forest Department, Talland, Shimla.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for necessary action.