

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

Indira Paryavaran Bhawan
Jorbagh Road, Aliganj
New Delhi – 110003
Dated: 20th October, 2021

To,
The Addl. Chief 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)

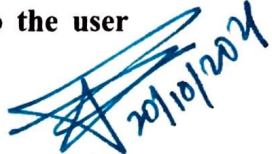
Sir,

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. After careful consideration of the proposal by the Forest Advisory Committee (FAC) constituted by the Central Government under Section-3 of the aforesaid Act, "**In-principle/Stage-I**" approval was granted vide this Ministry's letter of even no. dated **04.02.2021** subject to fulfilment of the certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the "in-principle/Stage-I" approval and has requested to the Central Government to accord Final/Stage-II approval.

2. In this connection, I am directed to say that on the basis of the compliance report submitted by the APCCF cum Nodal Officer (FCA) vide letter No. 2235/FP/UK/MIN/38285/2019 dated 27.02.2021 and letter No. 283/FP/UK/MIN/38285/2019 dated 15.06.2021, "Final/Stage-II approval" of the Central Government is hereby accorded under Section-2 of the Forest (Conservation) Act, 1980 for renewal of permission 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 fulfilment of the following conditions:

Conditions which need to be complied after handing over of forest land to the user agency by the State Government:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. *As per the condition (ii) of the previous approval accorded in this matter vide dated 26th May 2009, the State Government shall provide the details of the expenditure of 25% of revenue collected and spent on river training work and treatment of catchment area which to the Ministry within a period of two years. Moreover, the State will also get a third party verification of the works done from an institute of repute and will submit the report to the Ministry.*

A handwritten signature in blue ink, followed by the date '20/10/2021' written vertically.

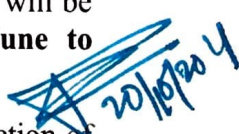
Further, expenditure of revenue to be earned from the sale proceeds against the extant approval shall be done in accordance with directions contained in the relevant orders of Hon'ble Supreme Court and detail of the same shall be submitted to the Ministry along with the renewal proposal to be sought by the State in future;

- iii. The State Government shall ensure that the Bamboo plantation will be done on the river banks and suitable surrounding area within a period of two years from the date of issue of Stage-II approval and a compliance report will be submitted to the Ministry along with pictorial evidences;
- iv. The State Government shall ensure that the 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;
- v. The State Government shall ensure that the forest land will be handed over only after required non-forest land for the project is handed over to the user agency;
- vi. The State Government shall ensure that 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;
- vii. The State Government shall ensure that the 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;
- viii. The state Government shall ensure that all the condition of original approval are complied by the user agency.
- ix. ***Period of diversion of the said forest land under this approval shall be for a period of 10 years form the date of this approval letter;***
- x. The User Agency shall obtain the Environment Clearance (EC) as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xi. The User Agency shall obtain the Wildlife clearance as per the provisions of Wildlife (Protection) Act, 1972, if required.
- xii. **The State shall send a copy of own approval letter to NMCG which will issued after S-II approval of GoI.**
- xiii. The State Government shall ensure that the Bamboo plantation is raised between the mining area in between 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;
- xiv. The State Government shall ensure that 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;
- xv. The State Government shall ensure that the boundary of the diverted forest

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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.

- xvi. The State Government shall ensure that 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;
- xvii. The forest land shall not be used for any purpose other than that specified in the project proposal.
- xviii. The State Government shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
- xix. The State Government shall ensure that the layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government;
- xx. The State Government shall ensure that the concerned Divisional Forest Officer, will monitor and take necessary mitigation measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xxi. The State Government shall ensure that the extraction of minor mineral will be carried out manually. Further, heavy machinery shall not be used for extraction of sand, stone and Bajri from the riverbed;
- xxii. The State Government shall ensure that 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;
- xxiii. The State Government shall ensure that the compliance of FRA, 2006 has been completed in accordance with the relevant guidelines issued by the Ministry;
- xxiv. The State Government shall ensure that the Sustainable Sand Mining Management Guidelines 2016, MoEF&CC as updated from time to time shall be followed;
- xxv. The State Government shall ensure that the collection of minor mineral time shall be from sun-rise to sun-set, and in no case any encroachment in the area or illegal mining from the adjoining area in the garb of the extant proposal should occur.
- xxvi. The State Government shall ensure that the no extraction of material will be allowed from the river beds during monsoon period, i.e., from **June to October** each year.
- xxvii. The State Government shall ensure that 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;
- xxviii. The State Government shall ensure that the 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;

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xxix. 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.

xxx. The State Government shall ensure that the User Agency will 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; and

xxxi. The user agency 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.

Yours Sincerely,


(Dharmdeo Rai)

Deputy 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 this letter on PARIVESH portal.