

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

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi – 1100 03,
Dated:29th November, 2022

To

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

Sub: Proposal for seeking prior approval of the Central Government under Forest (Conservation) Act, 1980 for non-forestry use of 54.668 ha. of forest land for extraction of sand, stone and bajri from bed of river Yamuna mining project by Randeep Singh, Mauza and Mohal Bhagani, District Sirmour, within the jurisdiction of Paonta Forest Division, District, Sirmour Himachal Pradesh (Online Proposal No. FP/HP/MIN/34137/2018). - regarding.

Sir,

I am directed to refer to the Government of Himachal Pradesh's letter No.Ft.48-3758/2018 (FCA) dated 18th January, 2020 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 constituted by the Central Government under section 3 of the said Act, '*in-principle*'/Stage -I approval to the proposal was granted vide this Ministry's letter of even number dated 02.03.2021 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

3. In this connection, I am directed to say that before issuing of Stage-II approval, the matter was considered in the Advisory Committee (AC) in its meeting held on 21.09.2022. The Committee took note of the fact that the condition no. A (v) of the Stage-I approval dated 02.03.2021 may be considered void and accordingly Stage-II can be issued after the approval of the competent authority. On the basis of the compliance report furnished by the Government of Himachal Pradesh vide their letters No. Ft.48-3758/2018 (FCA) dated 08.06.2022 and letter No.48-5174/2020 (FCA) dated 04.07.2022 and recommendation of the Advisory Committee, final approval (Stage II) of the Central Government is hereby granted under section 2 of the Forest (Conservation) Act, 1980 for diversion of 54.668 ha. of forest land for extraction of sand, stone and bajri from bed of river Yamuna mining project by Randeep Singh, Mauza and Mohal Bhagani, District Sirmour, within the jurisdiction of Paonta Forest Division, District, Sirmour Himachal Pradesh, subject to fulfillment of the

following conditions:

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

- i. The State Government shall ensure the complete compliance of FRA, 2006; It should also be ensured that the FRA certificate issued by District Collector is complete with letter number, date, name, signature and official seal, as required in the certificate;
- ii. The User Agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India, before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones;
- iii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, and other statutory approvals, if required;

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

- i. Legal status of the forest land shall remain unchanged;
- ii. The Compensatory Afforestation shall be raised over double the degraded forest land i.e. 110.0 ha. within three years from the date of Stage-II clearance and maintained thereafter by the State Forest Department at the cost of the User Agency and at least 1000 plants per hectare shall be planted over the identified DFL;
- iii. The proposed forest land i.e. 54.668 ha shall be handed over to the User Agency only after when the User Agency has acquired the required non-forest land, if any, for the project;
- iv. The State Government shall ensure that the extraction of minor minerals shall be carried out manually. Further, the State Government shall also ensure that there is no erosion and change in river course due to extraction/collection of sand, stone and Bajri from the riverbed. 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;
- v. The State Government shall ensure that the no extraction of material will be allowed from the river beds during monsoon period, i.e., from beginning of June to end of October each year;
- vi. The State Government shall ensure that the extraction of minor mineral as per DSR study report and the annual quantity shall not exceed the average of extractions in the years of 2013-14 to 2015-16;
- vii. The State Government shall ensure that the Bamboo plantation will be raised between the mining area in the river bed and the nearby agricultural fields on the river bank to avoid erosion of agriculture field at the project cost;
- viii. The State Government shall ensure that the Extraction of minor minerals be permitted from the middle of the riverbed after leaving one fourth of the river bed on each bank untouched;
- ix. The user agency will ensure that all the compensations, as per the norms and rules of the State Government to the affected persons shall be paid prior to handing over of

forest land to the User agency;

- x. User agency will ensure that forest area nearby shall not be encroached upon due to implementation of the project;
- xi. The State Government shall ensure that the minimum number of trees/plants/poles in any case not more than mentioned in the applied forest area will be removed and the trees should be felled under strict supervision of the State Forest Department;
- xii. The State Govt. shall ensure the user agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department;
- xiii. 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;
- xiv. The State Govt. shall ensure that 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 co-ordinates, as per the HP Forest Department's norms for laying boundary pillars;
- xv. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- xvi. No labour camps shall be set up inside the forest area.
- xvii. Sufficient firewood, preferably alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
- xviii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xix. Period of diversion of the said forest land under this approval shall be for a period of 15 years or expiry/termination of current mining lease granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed thereunder, whichever is earlier;
- xx. No damage to the flora and fauna of the area shall be caused;
- xxi. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xxii. 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;
- xxiii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- xxiv. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xxv. The State Government shall ensure that the compliance report of this approval is uploaded on e-portal (<https://parivesh.nic.in/>);

xxvi. 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;

xxvii. The violation of any of conditions mentioned above will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the para 1.21 of comprehensive guidelines issued vide this Ministry F. No.5-2/2017-FC dated 28th March, 2019;

xxviii. The State Government and user agency shall ensure compliance of all the conditions stipulated in the Stage-I approval letter dated 02.03.2021 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (s) and NGT Order (s), if any, pertaining to mining/this project for the time being in force, as applicable to the project;

Yours faithfully,

(Preet Pal Singh)

Deputy Inspector General of Forests

Copy to: -

1. PCCF (HoFF), Department of Forest, Government of Himachal Pradesh, Shimla.
2. Regional Officer, Integrated Regional Office, Shimla.
3. APCCF cum Nodal Officer, (FCA), Department of Forest, Government of Himachal Pradesh, Shimla.
4. The User Agency.
5. The Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.