

431^c
500^c

**GOVERNMENT OF MEGHALAYA
FOREST & ENVIRONMENT DEPARTMENT**

Dated Shillong, the 18th November, 2024.

No. FOR.45/2021/500

From: Smti J.J. Chyne,
Under Secretary to the Govt. of Meghalaya,
Forest & Environment Department.

To,
The Assistant Inspector General of Forests,
Government of India,
Ministry of Environment, Forest & Climate Change FC Division),
Indira Paryavaran Bhawan,
JorBagh Road, Aliganj,
New Delhi - 110003.

Sub : **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 Hills Cement Company Ltd. for Non-Forestry use of 4.00 Ha of deemed forest land for limestone mining at Mynkre, Jaintia Hills Forest Division, East Jaintia Hills District in the State of Meghalaya (Online Proposal No.FP/ML/MIN/42964) - Regarding.**

Reference: **Letter No. Nil, dated. 29th July, 2024.**

Sir,
In inviting reference to your letter under the subject cited above, I am directed to furnish herewith the following Additional Information alongwith copy of letter No.MFG.16/50/HCCL/Pt-I/10,268, dated.30-10-2024 received from the Nodal Officer, FC & CAMPA, Meghalaya, Shillong for favour of your kind information and necessary action.

In view of the above and in continuation of the earlier vide. Letter No. For.45/2021/147 dated 31st Oct 2023, I am to bring to your kind notice that the aforesaid user agency is not intentional violator as they got valid mining lease under rule 12(4) of Major Mineral Concession rules 1960 after the due compliances.

However, latter in the year 2013, the Joint Inspection Team have inspected the said leased area and ascertained the status as "Forest" and also advised the user agency to apply for Forest clearance U/s. 2 of Forest Conservation Act 1980. In compliance of the same, the user agency has applied for Forest clearance under the said act and the same is now under process.

Considering the facts mentioned above, this office is of the considered opinion that there is no scope for imposing penalty since there is no intentional violation by the user agency which has complied with all the conditions while getting mining lease prior to the Joint Inspection and as advised by the JIT, also indented to comply with all the conditions stipulated under the FC Act.

Therefore, the M/S Hill Cement Company Ltd may be exempted from the payment of Penalty and requested to grand Forest clearance U/s. 2 of Forest Conservation Act 1980 for the said proposal.

Yours faithfully,



Under Secretary to the Govt. of Meghalaya,
Forest & Environment Department.

RDS

9/1

500(A)

M.No. No. FOR.45/2021/500-A
Copy forwarded for information to:-

Dated Shillong, the 18th November, 2024.

- (1) The Deputy Director General of Forest (C), Ministry of Environment, Forest & Climate Change, Regional Office, Shillong – 793021.
- (2) The Principal Chief Conservator of Forest & HoFF, Meghalaya.

By Orders etc.,



*Under Secretary to the Govt. of Meghalaya,
Forest & Environment Department.*

431^c

**GOVERNMENT OF MEGHALAYA
FOREST & ENVIRONMENT DEPARTMENT**

No. FOR.45/2021/431

Dated Shillong, the 22nd November, 2023.

From : Shri S.S.Syiemlieh, M.C.S.,
Joint Secretary to the Govt. of Meghalaya,
Forest & Environment Department.

To, The Deputy Inspector General of Forests (C),
Government of India,
Ministry of Environment, Forest & Climate Change,
Regional Office,
Law-U-Sib, Lumbatngen,
Shillong-793021.

Sub : **Additional Information on Proposal for Diversion of 4.00 Ha of
deemed forest land for limestone mining at Mynkre by Hills Cement
Company Limited.**

Reference: No.3-MG B 013/2022-SHI/87-88, dated. 8th April, 2022.

Sir,
In inviting reference to your letter under the subject cited above, I am
directed to forward herewith a copy of **letter No. No.MFG.16/50/HCCCL/Pt-I/11,748,**
dated: 31st October, 2023 along with its enclosures which is self explanatory for
favour of your kind information and necessary action.

Yours faithfully,

Joint Secretary to the Govt. of Meghalaya,
Forest & Environment Department.

M.No. No. FOR.45/2021/431-A

Copy forwarded for information to:-

The Principal Chief Conservator of Forest & HoFF, Meghalaya.

Dated Shillong, the 22nd November, 2023.

By Orders etc.,

Joint Secretary to the Govt. of Meghalaya,
Forest & Environment Department.

7/c

432^c

GOVERNMENT OF MEGHALAYA
DEPARTMENT OF FORESTS AND ENVIRONMENT
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
(HoFF): MEGHALAYA



No.MFG.16/50/HCCL/Pt.I/ 12,063 Dated Shillong, the 7th November, 2023.

To,

The Secretary,
Government of Meghalaya,
Forest & Environment Department.

Sub: Proposal for diversion of 4.00 ha. of deemed forest land for limestone mining at Mynkre by Hills Cement Company Limited.

Sir,

In continuation to this office letter No.MFG.16/50/HCCL/Pt.I/ 11748, dated 31.10.2023, I am enclosing herewith a copy of Timeline Details where it is stated that the proposal is pending at the State Government. In this regard, the Government is requested to kindly process online in the Parivesh portal regarding diversion of 4.00 ha. of deemed forest land for limestone mining at Mynkre by Hills Cement Company Limited to enable the Regional Office, Shillong to take further necessary action.

Encl:- As above.

Yours faithfully,

Chief Conservator of Forests
CAMPA & FC Act
Meghalaya, Shillong.

RDS
08/11/23

FTS-102172/23
21/11/23

MK/-

Sylvan House, Lower Lachumiere
Shillong 793001

Phone: 91 364 2220414
Fax: 91 364 2504068

GOVERNMENT OF MEGHALAYA
DEPARTMENT OF FORESTS AND ENVIRONMENT
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HoFF):
MEGHALAYA



No.MFG.16/50/HCCL/Pt.I/ 10.268

Dated Shillong, the 30th October, 2024.

ISSUED ON

To,

**The Secretary,
Government of Meghalaya,
Forest & Environment Department, Shillong.**

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (1)202 (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s Hills Cement Company Limited for Non-Forestry use of 4.00 Ha. of deemed forest land for limestone mining at Mynkre, Jaintia Hills Forest Division, East Jaintia Hills District in the State of Meghalaya (Online proposal No.FP/ML/MIN/ 42964/2019) - regarding.

Ref : No. FOR.45/2021/438 dated 06.08.2024

Sir,

In inviting a reference to the State Government letter and subject cited above and as desired by the Government of India, Ministry of Environment, Forest & Climate Change, New Delhi, I am furnishing herewith following additional information alongwith copy of letter No. JH/HCCL/4.0Ha/ 2021-22/A/415, dated 19.09.2024 received from the Divisional Forest Officer, Jaintia Hills (T) Division, Jowai for favour of kind information and necessary action.

Sl. No.	Particulars	Remarks
i.	In view of the PCCF & HoFF communication letter vide No.MFG.16/50/HCCL/Pt.I/11748, dated 31.10.2023, the State Government initially recommended the proposal subject to payment of 5 times of NPV plus 12 percent simple interest till the penalty is paid by the project proponent as penalty for violating provisions of Adhiniyam, 1980. Further, by the Administrative of the State Government, Meghalaya vide letter No. FOR.45/ 2021/147, dated 31.10.2023 has requested to the Ministry to exempt user agency from payment of penalty for violating Forest (Conservation) Act, 1980. The State Government is requested to offer its comments in this regard.	<p>With regard to the payment of penalty by the user agency, the Divisional Forest Officer (T), Division, Jowai has reported that they had initially recommended the proposal subject to payment of 5 times of NPV plus 12 percent simple interest till the penalty is paid by the project proponent as penalty for violating provisions of Adhiniyam, 1980 vide letter No. JH/ HCCL/4.0 Ha/2021-22/A/578, dated 06.08.2023 (copy enclosed as Annexure-X) and accordingly the same was communicated to the State Government vide this office letter No.MFG.16/50/HCCL/Pt.I/11748, dated 31.10.2023 (copy enclosed as Annexure-Y).</p> <p>The same proposal was forwarded to the MoEF & CC, Regional Office, Shillong by the State Government vide their letter No. FOR.45/ 2021/431, dated 22.11.2023(copy enclosed as Annexure-Z).</p> <p>However, in connection to the State Government letter vide No. FOR.45/2021/ 147, dated 31.10.2023, regarding request for exemption to user agency from payment of penalty for violating Forest (Conservation) Act, 1980, as per the record available it is to be stated that the proposal was not communicated from this end.</p> <p>But vide the letter No. JH/HCCL/4.0Ha/ 2021-22/A/415, dated 19.09.2024 the Divisional Forest Officer, Jaintia Hills (T) Division, Jowai has informed that after proper examination of the records and site inspection carried out by their office alongwith the</p>


		<p>project proponent and further clarification and representation from the user agency, the DFO has reported that the mining of 4 ha. area was started by obtaining necessary clearance from the competent authority (<i>enclosed copy of clearance issued by the Addl. Deputy Commissioner, Khliehriat Civil Sub-Division, Khliehriat as Annexure - I (A), NOC issued by JHADC, Jowai as Annexure - I (B) & (C), copy of grant of mining lease by Mining & Geology Dept. as Annexure - I (D), copy of NOC issued by the DFO (T), Jowai as Annexure - I (E), copy of NOC issued by the CF (M&E), Jowai as Annexure - I (F)</i>) prior to the JIT-I which declared the said plot of land as forest land in 2012. Therefore, in accordance with the JIT-I assessment as forest land, the user agency had applied for limestone mining of the 4 ha of deemed forest land through Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Therefore, as reported by the DFO (T), Jowai, it is to clarify that the mining was carried out prior to JIT-I and there was no violation of the provisions of Adhiniyam, 1980 by the user agency after JIT-I assessed the said plot of land as forest land in 2012. Hence, the recommendations to impose penalty by the DFO (T), Jowai letter dated 06.08.2023 and this office communication vide above said letter dated 31.10.2023 may kindly be revoked.</p>
ii.	The State Forest Department is requested to submit action taken report against the erring officials responsible for violation.	The matter will not arise in view of the above.
iii.	The State Government has not submitted the approval copy of the land use plan. In this regard, the State Government is requested to submit the approved copy of land use plan clearly mentioning OB dumping site.	Enclosed as ANNEXURE - II .
iv.	The State Government is requested to offer its views on the mining activity that is visible outside the area proposed for diversion. In case forest clearances have been issued for the said site earlier or in its surroundings, the State Government is requested to submit a copy of the same.	As per the report of the Divisional Forest Officer, Jaintia Hills (T) Division, Jowai, the proposed mining area measuring 4 ha falls within the plant boundary of the user agency measuring 68.313 ha. In view of the JIT-I report half of the area i.e. 32.693 ha was declared as deemed forest land and accordingly, the user agency has already applied for the same area i.e. 32.693 ha for diversion of land under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and it is under process (proposal No. FP/ML/IND/150152/2021). The map submitted by the user agency depicting the site of the proposed mining area measuring 4 ha which is located within the plant area of 68.313 ha. enclosed as ANNEXURE - III . There is no mining activity outside the proposed area for diversion. The broken land which is seen adjacent to proposed diversion area does not belong to the user agency and it is a private and community land.

v.	Component wise breakup has been submitted for an area of 0.798 ha forest land. Moreover, KML files of the following components have not been uploaded online.	KML file enclosed as ANNEXURE - IV.
vi.	KML file showing the proposed routes for the transportation of the mined out minerals and involvement of forest land, if any, has not been submitted. The same needs to be submitted.	
vii.	DGPS map of the proposed forest land is found varying from the KML file. Further, the State Government may be requested to upload Survey of India (SoI) Toposheet map indicating the proposed forest land.	Toposheet map enclosed as ANNEXURE - V.
viii.	Due to unavailability of the forest boundaries of the Meghalaya State over the DSS portal, the legal status of the proposed CA land cannot be ascertained. In this, regard the State Government is requested to submit KML file highlighting forest boundary.	KML file of the forest boundary is enclosed as ANNEXURE - VI.

This office letter No.MFG.16/50/HCCCL/Pt.I/9285, dated 08.10.2024 issued earlier may be treated as cancelled.

Encl:-As above.

Yours faithfully,


Nodal Officer
FC & CAMPA
Meghalaya, Shillong.


Memo No.MFG.16/50/HCCCL/Pt.I/ 10,269

Dated Shillong, the 30th October, 2024.

Copy to:-

The Deputy Director General of Forest (C), Ministry of Environment, Forest & Climate Change, Regional Office, Shillong for kind information and necessary action.

ISSUED ON


Nodal Officer
FC & CAMPA
Meghalaya, Shillong.

ofc

MK/-

Sylvan House, Lower Lachumiere
Shillong 793001

Phone: 91 364 2220414
Fax: 91 364 2504068

Annexure - X

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GOVERNMENT OF MEGHALAYA
OFFICE OF THE DIVISIONAL FOREST OFFICER (TERRITORIAL),
JAINTIA HILLS DIVISION: JOWAI.

No JH/HCCL/4.0Ha/2021-22/B/ 1160

Dated-Jowai, the 6th August, 2023.

From: The Divisional Forest Officer,
Jaintia Hills Territorial Division, Jowai.

To: M/s. Hills Cement Company Limited,
Mynkre, East Jaintia Hills District.

Sub: *Proposal for diversion of 4.00Ha of deemed forest land for limestone mining
at Mynkre by Hills Cement Company Limited.*

Ref: No.MFG.16/50/HCCL/Pt.I/290 dated Shillong the 11th April, 2023.

Sir,

With reference to the above and as per letter from the Deputy Conservator of Forests (FC Act) mentioned under (copy enclosed), you are hereby directed to pay the quantum of penal Net Present Value (NPV) as per calculation given in Annexure I for further necessary action from this end.

This is for your information and necessary action.

Enclosed: As Above.

Yours faithfully,



Divisional Forest Officer,
Jaintia Hills Territorial Division, Jowai.
Dated-Jowai, the 6th August, 2023.

Memo. No JH/HCCL/4.0Ha/2021-22/A/ 578
Copy to:

1. The Deputy Conservator of Forests (FC Act) Meghalaya, Shillong for information.



Divisional Forest Officer,
Jaintia Hills Territorial Division, Jowai.

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GOVERNMENT OF MEGHALAYA
DEPARTMENT OF FORESTS AND ENVIRONMENT
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
(HoFF): MEGHALAYA



373
Annexure-4

No.MFG.16/50/HCCCL/Pt.I/ 11, 748

Dated Shillong, the 31st October, 2023.
ISSUED ON

To,

The Secretary
Government of Meghalaya
Forest & Environment Department.

Sub: Proposal for diversion of 4.00 ha. of deemed forest land for limestone mining at Mynkre by Hills Cement Company Limited.

Ref: No. FOR/45/2021/82, dated 20.08.2022.

Sir,

With reference to the State Government letter and subject cited above, I submitting herewith ~~an~~ additional informations as desired by the Ministry of Environment, Forest & Climate Change, Government of India, Integrated regional Office, Shillong as detailed below:

Sl. No.	Particulars	Remarks
1	The State Government may submit a self-contained report as per para 3 B (iii) & (iv) of Ministry's letter dated 27.01.2018.	(ANNEXURE - I)
2	The detail breakup of land requirement submitted in the proposal is for Green Belt - 0.603 ha & Dump Yard - 0.95 ha: whereas others required i.e. quarry area, safety zone, approach road, if any, for proposed diversion of 4.0 ha may be submitted.	(ANNEXURE - II)
3	Status of land use and FC approval and other land identified as 'forest' namely 50% of the plant area of 68.313 ha., 16 ha., & 40 ha. of limestone mine.	(ANNEXURE - III)
4	The date of issue of Letter of Intent (LOI) for grant of mining lease is 16.11.2010. Hence, it validity may be furnished.	(ANNEXURE - IV)
5	Mutation Notification for compensatory afforestation area proposed over non-forest.	(ANNEXURE - V)
6	The calculation of NPV as per latest guidelines of Ministry's letter dated 06.01.2022.	(ANNEXURE - VI)
7	The exact distance of the proposed diversion site from any Protected Area and form ESZ, if any.	(ANNEXURE - VII)
8	Status of Environmental Clearance application.	(ANNEXURE - VIII)
9	Status of Forest Rights Act certificate application.	(ANNEXURE - IX)
10	Employment generation may be submitted in man-days.	(ANNEXURE - X)
11	Mining Plan may be furnished.	(ANNEXURE - XI)
12	Environmental Management Plan.	(ANNEXURE - XII)

This is for kind information and necessary action.

Yours faithfully,

Chief Conservator of Forests
CAMPA & FC Act
Meghalaya, Shillong.

Memo No.MFG.16/50/HCCCL/Pt.I/ 11, 749

Dated Shillong, the 31st October, 2023.
ISSUED ON

Copy to:-

The Deputy Inspector General of Forest (C), MOEF & CC, IRO, Shillong for kind information with reference to his letter No. 3-MG B 013/2022-SHI/87-88, dated 08.04.2022.

Chief Conservator of Forests
CAMPA & FC Act
Meghalaya, Shillong.

MK/-

Sylvan House, Lower Lachumiere
Shillong 793001

Phone: 91 364 2220414
Fax: 91 364 2504068

27
Annexure-Z

**GOVERNMENT OF MEGHALAYA
FOREST & ENVIRONMENT DEPARTMENT**

24/11/23
No. FOR.45/2021/431

Dated Shillong, the 22nd November, 2023.

From : Shri S.S.Syiemlieh, M.C.S.,
Joint Secretary to the Govt. of Meghalaya,
Forest & Environment Department.

To,
The Deputy Inspector General of Forests (C),
Government of India,
Ministry of Environment, Forest & Climate Change,
Regional Office,
Law-U-Sib, Lumbatngen,
Shillong-793021.

Sub : **Additional Information on Proposal for Diversion of 4.00 Ha of
deemed forest land for limestone mining at Mynkre by Hills Cement
Company Limited.**

Reference: No.3-MG B 013/2022-SHI/87-88, dated. 8th April, 2022.

Sir,

In inviting reference to your letter under the subject cited above, I am directed to forward herewith a copy of **letter No. No.MFG.16/50/HCCCL/Pt-I/11,748, dated: 31st October, 2023** along with its enclosures which is self explanatory for favour of your kind information and necessary action.

Yours faithfully,

Joint Secretary to the Govt. of Meghalaya,
Forest & Environment Department.

M.No. No. FOR.45/2021/431-A

Dated Shillong, the 22nd November, 2023.

Copy forwarded for information to:-

✓ The Principal Chief Conservator of Forest & HoFF, Meghalaya.

By Orders etc.,

Joint Secretary to the Govt. of Meghalaya,
Forest & Environment Department.

RDS



HILLS CEMENT COMPANY LIMITED

Corporate Office

"SHIVAM COMPLEX", Bharalumukh

A. T. Road, Guwahati-781009

Ph.: 2733938, 2733939, Fax: 91-361-2733939

e-mail: info@hcl.in

Registered Office & Works

Village: Mynkree, 116 KM Stone, NH 44, Sub-Div: Khliehria

Dist.: Jaintia Hills, Meghalaya, PIN : 793200

Ph. & Fax : 03655-215864

e-mail : hillsproject@gmail.com

To,
The Under Secretary
Mining & Geology Deptt.
Govt. of Meghalaya
Shillong.

Date 17th June 2010

Subject: Application for Mining Lease over an area of 4.00 Hectare
situated at village Mynkree, 116 KM Stone, NH-44,
Sub Division- Khliehria, Dist- Jaintia Hills, Meghalaya.

Reference: Your letter no. - MG/EG/2009/134 dated 17.06.20

Respected Sir,

With reference to your letter no. MG/EG/2009/134 dated 17.06.2010
we are enclosing herewith NCC for Mining Lease over an
area of 4.00 Hectare by the Principal Chief Conservator of
Forest dated 01st May, 2010 for your kind reference.

You are requested to do the needful and oblige.

Kindly acknowledge the receipt.

Thanking you in anticipation

Yours faithfully

For Hills Cement Co. Ltd.

Mithun Jaisankar
(Authorised Signatory)

[Signature]
Under Secretary
Govt. of Meghalaya
Mining & Geology Deptt.

Annexure-1 (A) 82

①

ENQUIRY REPORT IN CONNECTION WITH THE APPLICATION FOR
MINING LEASE BY HILLS CEMENTS COMPANY LIMITED.

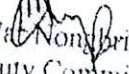
Spot inspection of the land for grant of Mining Lease at Mynkre village covering an area of 4 hectares has been conducted by the undersigned on the 13th, November, 2008, in the presence of the company officials, the Headman Myngkre and Representative of Jaintia Hills Autonomous District Council

My findings are as follows:-

1. The location, area, and boundary etc. of the land as described and shown in the application and the map submitted therein are inter alia, correct
2. The area applied for is available for granting of the lease and there is no evidence to indicate that the land is in any way encumbered as there is sufficient NOC from all local authorities including Doloi Naipun Elaka, Headman Myngkre, and the JHADC. Prospecting on the said land had been conducted as per approved prospecting license
3. As there are no village forests, cultivation or any private land on the proposed land for mining, the same is eligible for the purpose
4. The applicant is financially sound and has the capacity for technical resources, etc.
5. The grant of the lease is recommended as all the related documents are to my satisfaction
6. Special condition to the recommendation is that the mining operation shall not cause any environmental or ecological imbalance to the surrounding area in any form whatsoever and that necessary reclamation of the land be made by the company after mining

All connected documents are returned herewith

Yours faithfully,


(Smti M. W. Nongpri, M.C.S.)
Additional Deputy Commissioner,
L.C.S.D.O. (C) Khliehriat Civil Sub-Division,
Khliehriat

NO. JHADC/FOR/7/06/13-14

(2)

Dated Jowai, the 6th Jan Dec. '08.

NO OBJECTION CERTIFICATE.

The Executive Committee after due consideration of the application dt. 02.12.2008 of this cement company Limited, Mynkre, is pleased to grant this No objection Certificate to Hills Cement company Limited for mining lease at Mynkre, Elaka Narpuh over an area of 4.00 hectares and subject to the following terms and condition.

1. That the company shall strictly observe and adhere to the conditions laid down in the No objection certificate granted vide this office No. JHADC/FOR/07/2006/1519-24 dt. 14.9.2006.
2. That the No objection shall relate only in respect of the area specified in the Sale deed No. 67 of 2007.
3. That the company shall not allot any mining or contract work to any Non-tribal who do not possess a valid trading license xx issued by the Jaintia Hills Autonomous District Council, Jowai.
4. That this No objection certificate shall be valid for a period of 2(two) years only with effect from the date of issue and subject to renewal on satisfactory fulfilment of the terms and conditions prescribed in this behalf.

[Signature]
Deputy Chief Forest Officer,
Jaintia Hills Autonomous District
Council, Jowai.

Dated Jowai, the 6th Jan Dec. 2008.

Memo No. JHADC/FOR/7/06/13-14
Copy forwarded to :-

1. Deputy Commissioner, Jaintia Hills District, Jowai.
2. The Managing Director, Hills Cement Company Limited Mynkre.

[Signature]
Deputy Chief Forest Officer,
Jaintia Hills Autonomous District Council,
Jowai.

(3)

OFFICE OF THE JAINTIA HILLS AUTONOMOUS DISTRICT COUNCIL: JOWAI.

NO. JHADC/FOR/7/06/3630

Dated Jowai, the 29/9/2009.

To,

The Divisional Forest Officer (T)
Jaintia Hills Division, Jowai.

Subject :-

No-objection Certificate for Mining Lease over an
area of 4.00 Hectares of Hills Cement Company Ltd.

Reference :-

N.JH/MS/HOCL/2006-07/8/1484, dt. 24.9.2009.

Sir,

With reference to the subject and letter above, I
am directed to inform you that the area 4.00 Hectares where No-
objection certificate for issuing of Mining lease has been issued
to the Hills Cement Company Limited vide this Office letter No.
JHADC/FOR/7/06/13-14, dt. 6.1.2009 is not recorded as Forest area.

This is for your kind information and necessary
action.

Yours faithfully,

[Signature]
Deputy Chief Forest Officer,
Jaintia Hills Autonomous District Council,
Jowai.

GOVERNMENT OF MEGHALAYA
MINING AND GEOLOGY DEPARTMENT

NO.MG.66/2009/83

Dated Shillong, the 20th October, 2009.

From :

Shri.C.K.Marak,
Under Secretary to the Govt. of Meghalaya,
Mining and Geology Department.

To

The Director,
Hills Cement Company Limited,
Village-Mynkre,
116 K.M Stone, NH - 44,
Jaintia Hills District.

Sub

Grant of Mining Lease for Limestone over an area 4.0 hectares
at Mynkre Village, Jaintia Hills District to M/s Hills Cement
Company Limited

Ref

Your application No.HCCL/Mines/ML-1/2008 dated 1.10.2008.

Sir,

I am directed to convey the decision of the Government to the grant of
Mining Lease for Limestone over an area of 4.0 hectares at Mynkre Village, Jaintia Hills District
for a period of 20 (twenty) years under Rule 22(4) of the Mineral Concession Rules 1960, subject
to the submission of Mining Plan duly approved by the Indian Bureau of Mines.

The final Grant Order will be issued after fulfilling the above condition.
This has the approval of the Competent Authority.

Yours faithfully,

(Signature)
(C.K.Marak)

Under Secretary to the Govt. of Meghalaya,
Mining and Geology Department

Memo No.MG.66/2009/83-A

Copy to :-

- 1 The Director of Mineral Resources, Meghalaya, Shillong with reference to his letters
No.DMR/MM/698/2009/1346, dated 12.8.2009 and No.DMR/MM/698/2009/1935, dated
08.10.2009.
- 2 The Deputy Commissioner, Jaintia Hills District, Jowai with reference to his letter
No.REV/Min-21/2008/61 dated 18.2.2009.

Dated Shillong the 20th October, 2009.

By Order Etc.,

Under Secretary to the Govt. of Meghalaya,
Mining and Geology Department

5

4
Annexure-1 (E)

GOVERNMENT OF MEGHALAYA
OFFICE OF THE DIVISIONAL FOREST OFFICER (T), JAINTIA HILLS DIVISION, JOWAI

No. JHMS/HCCL/2009-10/37/A/282

Dated - Jowai, the 29th October, 2009

From: The Divisional Forest Officer,
Jaintia Hills Territorial Division, Jowai.

To: The Conservator of Forest (M&E),
Meghalaya, Shillong.

Sub: *No Objection Certificate for Mining lease over an area of 4.00 Hectares at Mynkre village, Elaka Narpuh in respect of M/s Hills Cement Company Limited, Jaintia Hills District.*

Sir,
With reference to the above, I am to inform you that the authorized signatory of M/s Hills Cement Company Limited, Mynkre village, Jaintia Hills District vide their letters (1) No. Nil dated - 29-06-2009, and (2) No. Nil dated - 31-08-2009 (copies enclosed), has submitted application for grant of No Objection Certificate from forestry point of view for mining lease over the area of 4.00 hectares situated at Mynkre village, Elaka Narpuh, Jaintia Hills District. A copy of each of the map and land documents submitted by the applicant for this purpose is enclosed herewith for your kind perusal and necessary action.

The site which is supposedly within the Cement Plant project land area of 68.313 hectares has been inspected by me on 15.10.2009 along with the A.C.F. (I/q) and observed that surface clearance and leveling has already been done by the company on part of the land, which is presently stopped. The status of vegetation on portion of the land where surface clearance was done and top soil removed could not be ascertained; however, part of the un-worked portion of the plot appears to be an abandoned limestone mine and part of it can be classified as non-forest.

On further enquiry by the Range Forest Officer (T) I/c Umkiang Range, he has submitted report that prior to acquisition of the land by Hills Cement Company Limited, the site was mined for limestone by land owner Shri. B. Shylla. The authorized signatory of the Jaintia Hill Autonomous District Council, Jowai vide his letter No. JHADCFOR/7/06/3630 dated 29.9.2009 (copy enclosed) has also stated that the plot of land in question is not recorded as forest area. Therefore, it can be said that the said land area of 4.00 hectares where M/s Hills Cement Company Limited has proposed for mining lease is partly abandoned mine and partly non-forest and recommended for issuing No Objection Certificate.

This is for favour of your kind information and necessary action.

Yours faithfully,
As above.

Yours faithfully,



Divisional Forest Officer,
Jaintia Hills Territorial Division, Jowai.

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Annexure-1 (F)

GOVERNMENT OF MEGHALAYA
DEPARTMENT OF FORESTS AND ENVIRONMENT
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS, MEGHALAYA

No-MFG 16/50/HOCL

To

(6)

The Divisional Forest Officer (M)
Jaintia Hills Division, Jowai

Dated Shillong the May 2010

Sub: NOC for mining lease over an area of 400 hectare by M/S Hills Cement Company Ltd

Ref: Your letter No. JH/MS/HOCL/2009-10/37/W/282 dated 29th Oct 2009

Please refer to your letter No. cited above

I have studied the reports sent by you including the maps. As has been recommended by you that since the area is a non forest land, the company may be allowed for mining lease over an area of 400 hectare at Mynkie village. Etaka Narpun as far as forest acts & rules administered by this Department are concerned subject to other conditions laid down under Environment Protection Act and concerned acts or rules of other departments

Encl. As above

Conservator of Forests (M & E)
Meghalaya Shillong

Memo No MFG 16/50/HOCL /1298

Copy to:

Dated Shillong the 6th May 2010

M/S Hills Cement Company Ltd. Village Mynkie, 110 Km Milestone Sub-Division Kiliemhat N.H. 44, Jaintia Hills District, Meghalaya

(Signature)

Conservator of Forests (M & E)
Meghalaya Shillong

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7A

GOVERNMENT OF MEGHALAYA
MINING AND GEOLOGY DEPARTMENT

NO.MG.66/2009/341

Dated Shillong, the 17th June, 2010.

From :

Shri.C.K.Marak,
Under Secretary to the Govt. of Meghalaya,
Mining and Geology Department.

To :

The Director,
Hills Cement Company Limited,
Village Mynkre,
116 KM Stone, NH 44
Jaintia Hills District.

Sub :

Application for Mining Lease on Limestone over an
area of 40 hectares at Mynkre Village, Jaintia Hills
District by M/S Hills Cement Company Limited.

Ref :

No Nil dated 01.05.2010.

Sir,

In inviting a reference to your letter cited above, I am directed to
request you to furnish this Department with the copy of No Objection Certificate from
Principal Conservator of Forest, Meghalaya, Shillong immediately.

This has the approval of the Competent Authority.

Yours faithfully,

(G.K.Marak)

Under Secretary to the Govt. of Meghalaya,
Mining and Geology Department

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7

JAINTHIA HILLS CEMENT COMPANY LIMITED

Corporate Office
"JAINTHIA HILLS CEMENT COMPLEX", Bharalumukh
T. Road, Guwahati-781009
Tel.: 2733938, 2733939, Fax: 91-361-2733939
mail: info@hccl.in

Registered Office & Works
Village: Mynkree, 116 KM Stone, NH 44, Sub-Div: Khliehria
Dist.: Jaintia Hills, Meghalaya, PIN : 793200
Ph. & Fax : 03655-215864
e-mail : hillsproject@gmail.com

To,

Date - 07/05/10.

The Commissioner & Secretariat
Mining & Geology Department,
Shillong, Meghalaya.

Ref: - Mining lease over an area of 4.00 hect
at village - Mynkree File No - MG/66/09

Sub: - NOC from the office of the Principal
Chief Conservator of Forest, Shillong.

Dear Sir,

Enclosed please find herewith The no objection
certificate from office of the Principal Chief
Conservator of Forest, Shillong for mining lease
over an area of 4.00 hect. at village. Mynkree,
Jaintia Hills Dist.

Kindly acknowledge the receipt.

Thanking you,
yours faithfully,

7/5/10
Smt. A. Smit, IAS
Commissioner & Secretary
to the Govt. of Meghalaya

For
[Signature]
Author

(8)

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GOVERNMENT OF MEGHALAYA
MINING AND GEOLOGY DEPARTMENT
SHILLONG

NO MG. 66/2009/371

Dated Shillong the 16th November, 2010

From

Shri. C. K. Marak,
Under Secretary to the Government of Meghalaya,
Mining and Geology Department,
Shillong.

To

The Deputy Commissioner,
Jaintia Hills District,
Jowai.

Sub:

GRANT OF MINING LEASE FOR LIMESTONE OVER AN AREA OF 4.00 HECTARES
AT MYNKRE VILLAGE, JAINTIA HILLS DISTRICT, MEGHALAYA IN FAVOUR OF
M/s HILLS CEMENT COMPANY LTD.

Ref:

This Department's letter No. MG.66/2009/83, dt. 20-10-2009

Sir,

I am directed to say that the Government of Meghalaya is pleased to grant a mining lease over an area of 4.00 hectares on limestone to M/s Hills Cement Company Ltd. at Mynkre Village, Jaintia Hills District, for a period of twenty years in accordance with the provision of the Mines and Minerals (Development & Regulation) Act, 1957 and the Mineral Concession Rules, 1960. A draft Mining lease deed under Rule 31 of the said rules containing the terms and conditions both general and local on which the mining lease is granted is forwarded for execution to you and the said Company.

I am also to say that the mining lease should be executed within six months from the date of issue of this letter and if it is not executed within this period due to the default on the part of applicant, the State Government may revoke the order granting the lease and in that event application fee and preliminary expenses deposited by the applicant shall be forfeited to the State Government. The Mining lease should be registered after execution. As required under Rule 32 of the Mineral Concession Rules, 1960 the applicant shall deposit the mining lease is executed, deposit an amount of Rs. 10,000/- (Rupees Ten Thousand) as security for due observance of the terms and conditions of the lease. The security deposit should be in the form of a Term Deposit Receipt at any Nationalized, Recognized Bank pledged in favour of Director of Mineral Resources, Meghalaya, Shillong.

I am to request you to take action on the following points before execution of mining lease:-

- (a) The date of execution from when the mining lease will come into force should be mentioned in the blank space at Para. and a preamble of the draft lease.
- (b) The blank spaces in part I of the draft lease duly filled in regarding the situation and location of the area are to be verified. The boundaries of the area have been filled in on the basis of the description in the application for mining lease submitted by the applicant.
- (c) The map or plan showing the location of the lease area should be annexed to each copy of the lease deed.
- (d) As required under Rule 32 of the Mineral Concession Rules, 1960 you are authorized to fix the rate of surface rent per hectare per annum and the water rate per hectare per annum and to fill up the blank spaces under Clause 4 of Part-V.

Cont. Pg2/-

For Deputy Commissioner

(Signature)

I am also to say that the lessee should demarcate the boundaries of the mining lease area within a period of 1 (one) month from the date of execution of the mining lease and the Director of Mineral Resources should verify the boundaries before the lessee commence mining operation.

The lessee should endeavor to protect the environment by taking measures for reclamation of the land by planting trees and other natural vegetation.

The lessee should ensure that mining operation for limestone in the lease area should be conducted in accordance with the mining plan approved by the Controller General, Indian Bureau of Mines, Govt. of India as provided under Rule 22 A of the Mineral Concession Rules, 1960.

The amount of anticipated royalty for the purpose of stamp duty for registration of mining lease is Rs. 50, 02,263/- (Rupees Fifty Lacs Two Thousand Two Hundred Sixty Three only) per annum. The amount has been determined on the basis of the estimated annual production for a period of 5 (five) years as furnished in the mining plan at the current rate of royalty on limestone. The blank space in clause 9 of part IX of the lease deed has been filled in accordingly.

I am further to say that the copies of mining lease duly executed should be furnished to the Controller General, Indian Bureau of Mines, Nagpur, Director General of Mines Safety, Dhanbad and the Director of Mineral Resources, Meghalaya, Shillong as well as to this Department for records.

Yours faithfully


(K. K. Marak),

Under Secretary to the Government of Meghalaya,
Mining and Geology Department,
Meghalaya Shillong.


MEMO NO. MG 66/2009/371-A,


Dated: Shillong, the 16th November 2010

Copy forwarded to

1. The Section Officer, Ministry of Mines, Govt. of India, Shastri Bhavan, New Delhi for information.
2. The Controller General, IBM, Nagpur.
3. The Director General of Mines Safety, Dhanbad.
4. The Private Secretary to Chief Minister for kind information of Chief Minister.
5. The Private Secretary to Chief Secretary, Govt. of Meghalaya, Shillong.
6. The Private Secretary to Minister, Mining and Geology Department, Shillong.
7. The Private Secretary to Minister, Industries Department, Shillong.
8. The Private Secretary to Minister, Forest and Environment Department, Shillong.
9. The Director of Mineral Resources, Meghalaya Shillong.
10. M. S. Hills Cement Company Ltd., Mynkre Village, 115 KM stone NH 44, Jaintia Hills District.

By order Etc.


Under Secretary to the Government of Meghalaya,
Mining and Geology Department,
Meghalaya, Shillong





मेघालय MEGHALAYA

M 1 / Dec 1 No. 51 of 2011.

023972

FORM K

Model Form of Mining Lease

(See rule 31)



TRUE COPY OF THE INSTRUMENT made this 1st day of December 2010 between the Governor of Meghalaya (hereinafter referred to as the 'State Government' which expression shall where the context so admits be deemed to include the successors and assigns) of the one part and HILLS CEMENT COMPANY LTD. (Name of company) a company registered under Companies Act, 1956, (Act under which incorporated) and having its registered office at Mynkree village, 116 Km stone, N.H 44 Khliehriat Sub-Division, Jaintia Hills District, Meghalaya (Address) (hereinafter referred to as "the lessee" which expression shall where the context so admits be deemed to include its successors and permitted assigns). of the other part.

WHEREAS THE lessee/lessees has/have applied to the State Government in accordance with the Mineral Concession Rules, 1960 (hereinafter referred to as the said Rules) for a mining lease for 20(twenty) Years in respect of the lands described in Part I of the Schedule hereunder written and has/have deposited with the State Government the sum of Rs.10,000/- (Rupees Ten Thousand) only as security and the sum of Rs. 1000/- (Rupees One Thousand) only for meeting the preliminary expenses for a mining lease.

[Handwritten signature]

Deputy Commissioner
Jaintia Hills District
Jowai

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FORM-C

(Notice of intimation of opening/reopening of mine/change in the name of mine)
(See rule 22(1), 22(2), 25 & 49)

IMPORTANT

Notice in this Form shall be sent so as to reach concerned authorities within 15 days of the date of opening/reopening change in Name of mine

To

1. The Controller General,
Indian Bureau of Mines,
Nagpur - 440001

2. The Controller of Mines
Central Zone (CZ)
Indian Bureau of Mines,
Nagpur.

3. The Regional Controller Mines,
Indian Bureau of Mines,
Salt Lake City, Kolkata.

4. The Director of Mineral Resources,
Rissa Colony, Shillong.

5. The Deputy Commissioner, Jaintia Hills
District, Jowai, Meghalaya.

6. The Officer Incharge, I.B.M., Guwahati

Limestone

Mynkree Limestone Deposit

Hills Cement Company Ltd Vill-Mynkree
Dist-Jaintia Hills, Meghalaya 793200.

Private Sector

06.04.2011

1. (i) Name of the mineral worked
(ii) Name(s) of other minerals if any, for which
lease has been granted:

- (i) Name of the mine
(ii) Change in the name of mines, if any:
(Indicate old name and reason of change)

Name and address of the lessee/owner

4. Ownership of the mine

(a) Public Sector (b) Joint Sector (c) Private Sector

[4A. Date of opening/reopening of mine

4B. In case of reopening, date of discontinuation]

5. Particulars of the Mining Lease (ML):

(i) Date of execution:

(ii) Period: 20 Years, from 08.02.2011 to 07.02.2031

(iii) Areas under lease: 4.00 hectares

6. Location of the Mining Lease:

(i) Village, Mynkree Dist. Jaintia Hills Taluka Talsil Khliehriat

(ii) Post Office Chiehrupi Police Station Khliehriat Dist. Jaintia Hills

- 370
1. Inserted by G.S.R. 55 (I), dated 17.1.2000.
(iii) Nearest railway station Guwahati Distance 200 KM.
(iv) Nearest Rest House/Dak Bangalow 0.8 KM

7. Name and address of previous owner,
if any and the date of abandonment:

N/A

8. Particulars of Agent
Name and address:

PIN

Date

Shri Gopalram Sharma
Hills Cement Company Ltd
Village Mynkree, Dist Jaintia Hills,
Meghalaya 793200

9. Particulars of Mining Engineer employed in the
mines:

(i) Name and address:

(ii) Qualification:

(iii) Date of appointment:

(iv) Status of employment: Whole time Part time

(v) Particulars of the Manager of the mine:
Name and address:

Shri Rajeev Ranjan Jha,

A M.I.E (Mining Engg) and 2nd Class Mine
Managership Certificate of Competency.

29.08.2010

Whole Time.

Shri Birendra Kumar Sinha
First Class Manager Certificate (Rest)
G-74, Ground Floor, South City II,
Gurgaon, Haryana.

11. Letter No. and date through which the mining
plan was approved by the Indian Bureau of
Mines.

Letter No. 314 (G) 2009-MCCM(CZ)MP-25 196

Date: 04.03.2010

Place,

Date:

Signature:

Name in full: Gopalram Sharma

Designation: ~~Owner~~ Agent Mining
Engineer-Manager

(Strike out the items which are not applicable)

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(11)

Full Title of the Project: Proposal for "Diversion of 4.00 ha of Forest Land for Limestone Mining in respect of M/s Hills Cement Company Limited:


DETAILED REPORT ON VIOLATION OF PROVISIONS OF FOREST ACTS

- a) **The extent (in hectare) of forest land broken/encroached and the number of trees illicitly felled:** The extend of area broken is 4.0 ha. The aforesaid land is completely broken by the user agency for extraction of lime stone for cement manufacturing. However, it may be mentioned that the user agency has been granted mining lease for the aforesaid land vide letter No. MG.66/2009/83 dtd 20th Oct 2009 by the Mining and Geology Department, Government of Meghalaya.
- b) **The name and designation of the official/persons who are prima-facie responsible for the contravention of the provisions of the Act, supported by requisite documents:** M/s Hills Cement Company Limited
- c) **In case, it is not possible to fix the responsibility for commission/omission of any action leading to violation of the provisions of the Act, full explanation with relevant supporting documents to be appended:** It is not possible to fix the responsibility for commission/omission of any action leading to violation of the provisions of the Act since mining lease for the said land was granted by the Mining and Geology Department Government of Meghalaya under Major Mineral Concession Rule 1960 as per the provisions given under MMDR 1957 based on the NOC and status of land (as **Non Forest**) issued by the Jaintia Hills Autonomous District Council.
- d) **The Details of action taken by the DFO against illicit felling/encroachment/illegal mining etc under the provision of IFA-1927 / PLPA-1900/other State Forest Acts, etc. There is no record on action taken on violation of FCA 1980.**
1. As per records of this office there is no record on action taken on violation FCA 1980. Further, it may be mentioned that since the aforesaid (deemed forest) land belongs to the private individual, there is no provision for taking any action under **Meghalaya Forest Regulation Act 1973**.
 2. Mining lease for the said land has already been granted (Prior to JIT-I in the year 2012) vide No. MG.66/2009/83 dtd 20th Oct 2009 under Major Mineral Concession Rule 1960 as per the provisions given under MMDR 1957 based on the NOC and status of land (as **Non Forest**) issued by the Jaintia Hills Autonomous District Council.
 3. As of now, as per JIT-I, the proposed land was ascertained as forest and mining of lime stone in the said land without forest clearance is considered as violation of FCA 1980.

Hence, the undersigned is of the opinion that facts mentioned above may be considered before imposing penalty on violation FC Act 1980

Place: Jowai

Date: 12.3.2021


Divisional Forest Officer,
Jaintia Hills Territorial Division, Jowai.

Countersigned by
Conservator of Forests (T),
Khasi & Jaintia Hills Districts, Meghalaya, Shillong

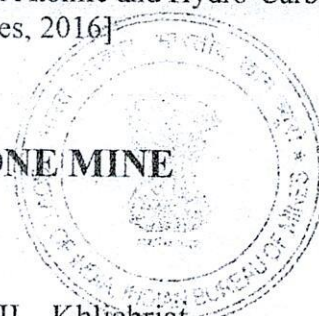
260
CATEGORY-A O/C mine

**REVIEW OF MINING PLAN
WITH
PROGRESSIVE MINE CLOSURE PLAN**

[Submitted under Rules 17(2) of Minerals (Other than Atomic and Hydro-Carbons Energy Minerals) Concession Rules, 2016]

OF

MYNKREE LIMESTONE MINE

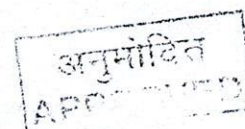


VILLAGE – Mynkree, TEHSIL- Khliehriat

DISTRICT- East Jaintia Hills, STATE- Meghalaya

MINERAL- LIMESTONE

LEASE AREA- 4.0 HECT.



(NON-FOREST AREA -NIL, FOREST AREA- 4.0 HECT)

LEASE PERIOD –FROM - 09-12-2010 To 08-12-2030

PERIOD OF REVIEW OF MINING PLAN -2020-21 to 2024-25 (5 Years)

LESSEE

M/s Hills Cement Company Limited.
Village-Mynkree, 116 km Stone(NH 44)
Sub Div-Khliehriat, Dist-Jaintia Hills, Meghalaya
Pin-793210

E mail –mineshccl@gmail.com

Fax No 03655215864

AP 20/7/2020
Contact no. 7085099181, 9402133123

IBM registration no. IBM/7580/2011

Mine Code –38MEG03014



PREPARED BY
SUNIL KUMAR SONI
(Mining Engineer)

M/s ANSH MINE ENVIRO SERCICES
T-14-B, Shastri Nagar, Ajmer
Contact no. 9414258936 & 9251058936 (M)
E mail – anshmineservices@gmail.com

E LETTER NO. **IBM/GHY/MEG/JNH/LST/MP-12**

ED 30/7/2020

CHAPTER-V PROGRESSIVE MINE CLOSURE PLAN

13.0 PROGRESSIVE MINE CLOSURE PLAN

13.1 Environmental Baseline Information Attach a note on the status of baseline information with regard to the following.

a) existing land use pattern indicating the area already degraded due to mining, roads, processing plant, workshop, township etc in a tabular form.

EXISTING LAND USE PATTERN

Topography of the lease area is rugged and mountainous. Height mRL in the lease area is 711 mRL and lowest mRL is 685 mRL, the level difference is about 26 m. No human settlement is located in the lease area. Rain water flow along the topographical slope of the area.

The present land use pattern of the lease area is tabulated as follows: -

Sr no.	Particulars	Area put on use at start of Review of mining plan area in hect.
1	Area under mining	2.62
2	Storage for top soil	0.0
3	Waste dump site	0.17
4	Mineral storage	0.0
5	Infrastructure -workshop, Administrative, building etc.	0.0
6	Mine Roads	0.1
7	Railways	0.0
8	Tailing pond	0.0
9	Effluent Treatment Plant	0.0
10	Mineral Separation Plant	0.0
11	Township area	0.0
12	Grand Total	2.89 hect.

Tab 26

b) water regime, quality of air, ambient noise level, flora, climatic conditions

Water Regime-

There are predominantly two different kinds of drainage pattern can be seen around the lease area, they are mainly dendritic and trellis pattern, dendritic kind of drainage pattern has generally developed in the most dissected part of the plateau. In this case consequent river receives number of tributaries, which are fed by innumerable smaller streams, in the case of trellis pattern of drainage the consequent streams cuts across the crest and subsequent follow the strike of valley

Average rainfall of the area is about 2500 mm to 3500 mm with 200 rainy days.

13.2 Impact Assessment:

Attach an Environmental Impact Assessment Statement describing the impact of mining and beneficiation on environment on the following:

- i) Land area indicating the area likely to be degraded due to quarrying, dumping, roads, workshop, processing plant, tailing pond/dam, township etc.

Due to mining activities, the present land use pattern will be definitely change, the land will be degraded as pit size will increased, (waste removed during mining operations will be systematically dumped and waste generated from pit will be used in the backfilling of excavated area to restore the excavated area in statutory barrier area.) Mineral produced from the mine will be fed to the cement plant after sorting.

Land use pattern after five years will be as follows.

S no.	Particulars	Area put on use at start of Review of mining plan area in hect.
A	Area under mining	2.62+0.68=3.3
B	Storage for top soil	0.0
C	Waste dump site	0.0
D	Mineral storage	0.0
E	Infrastructure -workshop, Administrative, building etc.	0.0
F	Mine Roads	0.017
G	Railways	0.0
H	Tailing pond	0.0
I	Effluent Treatment Plant	0.0
J	Others (plantation)	0.593
K	Township area	0.0
L	Grand Total	4.0

Tab -28 (a)

Land use pattern at the end of life of mine will be as follows.

S. No.	Particulars of Land use	Total
a	Area under mining Proposed backfilled Proposed water reservoir	3.3
b	Storage for top soil	0.0
c	Waste dump site	0.0
d	Mineral storage	0.0
e	Infrastructure -workshop, Administrative, building etc.	0.0
f	Mine Roads	0.0
g	Railways	0.0
h	Tailing pond	0.0

Letter No.-HCCL/Mines/Secretary (F&E)/2022-23/18

To,

The Secretary (Forests & Environment),
Govt of Meghalaya, Deptt. of Forests & Environment,
Meghalaya, Shillong.

18.07.2022

Subject:- Application requesting for complete waiver of the penalty amount for the proposal for diversion of 4.0 Ha of deemed forest land for Limestone Mining by Hills Cement Company Ltd at Po-Mynkre, East Jaintia Hills District, Meghalaya-reg. Proposal No.- FP/ML/MIN/42964/2019.

Dear Sir,

With regard to above mentioned proposal of diversion of 4.0 Ha of deemed forest land for Limestone Mining by Hills Cement Company Ltd at Po-Mynkre, East Jaintia Hills District, Meghalaya-reg. Proposal No.- FP/ML/MIN/42964/2019. We want to inform you that we started Mining operations after taking all necessary permissions from various departments like:- Forest, District Council, DMR etc. We started mining operations in 2011 and after that in 2012 JIT-1 visited the area and later on declared it as a forest area. It is very clear from our legal communications, permissions attached herewith this letter that-

We had started Mining operations legally with all necessary permissions and we have not violated any rules/regulations of state/Centre government in opening of the mine. We have not committed any violation on this 4.0 Ha Mines area, as this land was already declared as Non forest land (NOC issued by PCCF office-CF's letter-06.05.2010) much before the JIT inspection and starting of the Mine. So we request your good self not to impose any penalty on us and our complete penalty amount must be waived off.

In this scenario, you are requested to look into this matter and kindly waive off our complete penalty amount for this aforesaid proposal and oblige. Hoping for your favourable and prompt action in this regard.

Yours Sincerely,



Amit Kumar Mathur)

General Manager-Mines

Hills Cement Company Limited

c: The Principal Chief Conservator of Forests & HoFF, Meghalaya, Shillong.

nc:-Reference Letters 1 to 11 nos.

HILLS CEMENT COMPANY LIMITED


18/07/22
Secretary
Govt. of Meg

Commissioner & Secretary

May kindly see representation from the M/s Hills Cement Company Ltd. regarding exemption from payment of penalty.

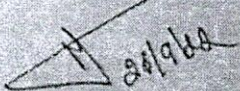
The State Govt. has recommended the project subject to payment of 5 times NPV plus 12% simple interest as penalty for violation of provisions of the FC Act 1980. (Sl No. 79)

The following points and chronology of events may kindly be perused in this matter:-

- a) Additional Deputy Commissioner, Khliehriat Civil sub-Division inspected the site on 13th November, 2008 and certified that there are no village forests on the proposed land for mining (Sl no. 120^c)
- b) JHADC vide letter dated 29th September, 2009 certified that the proposed land is not recorded as Forest area. (Sl No. 122^c)
- c) The DFO (T) Jowai in his report submitted vide letter dated 29th October, 2009 to Conservator of Forest (M&E) mentioned that the said plot of land is partly abandoned mine and partly non-forest and also recommended for issuing No objection certificate. (Sl No. 124^c)
- d) The Conservator of Forests (M&E) vide letter dated 6th May, 2010 intimated the DFO (T) Jaintia hills Divisions that the said plot of land is a non-forest land and conveyed approval to issue NOC for mining on the said plot of land. (Sl No. 125^c)
- e) Based on the non-forest land certificate/NOC issued by Conservator of Forests and JHADC, the Mining and Geology Department on 16th November, 2010 had granted Mining lease for 4.00 ha of land at Mynkre village. Mining lease deed was executed on 9th December, 2010 between State Government and Hill Cement Company. (Sl No. 129 to 131^c)
- f) In accordance with mining lease granted under the provisions of Mines and Mineral (Development & Regulation) Act, 1957, and based on Non-forest land certificate/NOC issued by the Conservator of Forests and JHADC, the user agency had started mining of limestone and the land was broken.
- g) The JIT-1 during the inspection conducted on 6th March, 2012, has assessed the said plot of land as forest. (copy of JIT report at Sl 135^c)
- h) Therefore, the user agency started the mining after obtaining NOC from JHADC and Conservator of Forests (M&E) and in accordance with valid mining lease granted by State and later on, after granting mining lease, the JIT-1 has assessed the said plot of land as forest land.
- i) In view of this fact, the user agency has not violated provisions of Forest Conservation Act, 1980 since they started the mining activities under valid mining lease and after NOC/non-forest land certificate from JHADC and letter conveying approval to issue NOC from Conservator of Forests.
- j) In the similar matter, the MOEF & CC, Regional office while conveying in-principle approval for diversion of 10.055 ha of deemed forest in respect of M/s Adhunik Cement Ltd. has imposed, *inter-alia*, the following condition:
"(viii) Use of forest land after 2013 onwards (i.e. after identification of deemed forest land by JIT) without prior approval of Central Government amounts to violation of Forest (Conservation) Act 1980 and accordingly penal provisions on account of violation of the Act shall be levied in accordance with guidelines dated 29th January, 2018."
Copy of in principle approval dated 25th April, 2019 granted to M/s Adhunik Cement Ltd. placed as at Sl 144^c
- k) As per this decision of the MOEF & CC, the use of forest land after 2013 onwards and after its identification as deemed forest land by JIT only amount to violation of FC Act and user agency is liable to pay penalty.
- l) In the present case, the user agency started using said plot of land and started mining activities during 2010-11 before JIT assessed the said plot of land in 2012. Therefore, the user agency started using forest land before 2013 i.e. before JIT assessed it as forest land. The user agency started mining activities after obtaining NOC from JHADC and Conservator of Forests (M&E) and in accordance with valid mining lease granted by State. Hence, the user agency has not violated the Forest Conservation Act, 1980 and hence not liable to pay penalty.

In view of above circumstances and facts, we may recommend to MOEF & CC, Integrated Regional Office to exempt the M/s Hills Cement Company Ltd. from payment of penalty.

Submitted for further orders.


Secretary
Forest and Environment

Untitled Map

Write a description for your map.

Legend

- Feature 1
- Polygon



SL No.	Components.	Area (Ha).
1.	Mining Working Area.	2.87 Ha.
2.	Safety Zone.	0.59 Ha.
3.	Waste Dump Area.	0.195 Ha.
4.	Green Belt Area.	0.345 Ha.

M/s Hills Cement Company Limited.

Village:- Mynkree, 16 KM STONE, NH-6 Road,
Sub Div:- Khliehriat, Dist:- East Jaintia Hills,
Meghalaya- 793210.

Survey Date:- 10.08.2024 Scale :- N.T.S

[Signature]
Surveyor

[Signature]
Mines Manager

830

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