

No.Ft.48-3691/2017(FCA),
Forest Department Himachal Pradesh

From: Nodal Officer-cum-APCCF (FCA)
O/o Pr. CCF, H.P. Shimla-1.

To: The Addl. Pr. Chief Conservator of Forests (Central),
Govt. of India, Ministry of Environment & Forests,
Regional Office, (North-Central Zone) 25, Subhash Road,
Dehradun-248001(Uttarakhand).

Dated Shimla-1, the 18 OCT 2019

Subject: **Re-diversion of 1.052 hectare of forest land in favour of Mining Officer, Chamba for River Bed Mining in Salandri Khad (Stream) at Mohal Janna, Distt. Chamba, within the jurisdiction of churah Forest Division, Distt. Chamba, H.P.**

Sir,

Kindly refer to 42nd meeting of Regional Empowered Committee (REC) of Regional (North Central), Dehradun held on 30th September, 2019 wherein various aspect of the subject cited proposal have been discussed and certain observations has been raised.

2 The point wise reply of the observations is submitted as below:-

Sr. No.	Observations	Reply
1.	No Objection Certificate in favour of Mining Department (current user Agency) from the NHPC (Previous user agency)	In this connection it is submitted by the user agency that a meeting was conducted on 21.07.2004 under the Chairmanship of Deputy Commissioner, Chamba in the office of Dy Commissioner Chamba. In the said meeting, NHPC has raised No Objection in this matter. At the end of meeting, it was decided that necessary permission to extract the sand deposits will be given by the Mining Officer, Chamba. The Dy. Commissioner Chamba has also issued an order on 21.07.2004. The minutes of the mmeing and order delegating the power to Mining Officer Chamba to issue the necessary permission to extract the sand deposits in Chamera-I reservoir. The user agency has requested to treat this as No Objection Certificate (NOC) of previous User Agency i.e. NHPC in favour of current user agency i.e. Mining Officer, Chamba.
2	In the instant case, the Mining Plan has been prepared in the year 2016 and approved in July 2015 in favour of Shri Amar Chand but the proposal for re-diversion of forest land has been	In this regard, it is submitted by the user agency that a copy of approval of mining plan placed in the proposal folder dated 03.07.2015 was revised, and a revised Approval of Mining Plan was granted. But by mistake, instead of

<p>submitted by the Mining Officer, Chamba, Distt. Chamba, H.P. Even the State Govt. letter dated 01.04.2009 written to NHPC Ltd. for NOC contains the name of Shri Amar Chand Sharma. The mining plan need to be submitted in favour of Mining Department.</p>	<p>annexing the revised approved mining plan and the copy of earlier approved mining plan is enclosed in the proposal folder which caused dated disorder. In fact, the revised approved mining plan is prepared in the year of 2016 and its approval is granted on 01.12.2016. Copy of approval of revised mining plan granted on dated 01.12.2016 is enclosed herewith. It has been further added by the user agency that as per the minutes of the meeting held on 01.09.2017, under the Chairmanship of ACS(Industries) to GoHP regarding re-diversion of the forest land that has already been diverted under FCA, 1980, the Mining Officer, Chamba has been decided as second User Agency for the re-diversion of such land, which will be procured expeditely. But, all the payment towards NPV and other charges, if any, will be borne by the proposective mineral Holder i.e. Amar Chand. Hence, it proves that all the NOCs, Mining Plan and EC shall be obtained by the prospective mineral Holder, and only re-diversion of land case under FCA, 1980 will be procured by the Mining Officer instead of prospective mineral Holder in view of urgency of requirement of mining mineral for development and construction activities carried out in the District. Copy of the minutes of the meetings duly attested by mining officer, Chama is enclosed herewith.</p>
<p>3. In Para 3.4 of the Mining Plan it has been mentioned that factor of 30 cm annual replenishment is taken in consideration while calculation of reserve, but depth of mining is mentioned as 1 meter at Para 3.3 and 0.50 m to 1 m of the Mining Plan which is required to be clarifie by the State Govt.</p>	<p>The user agency has stated that as per Para 3.4 (Page No. 22) of approved plan it is mentioned that the factor of 30 cm for annual replenishment is taken in consideration while calculating the reserve. 30 cm annual replenishment means replenishment over the entire Salandari Nalla, but in first entire pit will filled. It is thus assumed that the entire pit will be filled after monsoon. It is observed that as the water level during the monsoon rises in the Chamera reservoir, it block the flood waters from the Salandari Nallah, resulting heavy deposition or eroded road in the mining lease area. Hence, mined out area of pre-monsoon gets completely filled with mineral during monsoon. It is, thus, assumed that the entire pit will be filled after monsoon. Further, in the</p>

		<p>same page, above to this Para 3.4, it has also been clarified that the calculation for minerable reserve become complex in view of various factors. In all, it was computed based on local study that an average 0.50 meter mining depth can be assumed for entire mineable area, however, mining depth will vary from 0.2 to 1 meter, 1 meter is the maximum depth as per Himachal Mining Policy.</p>
4.	<p>In the Check List-7, provided in the hard copy of proposal, the Khasr No. of 1.052 ha of forest land proposed for re-diversion is mentioned 863/419, but Khasra No. of 673/484/1 is mentioned in the plan, EC and Mining Lease Agreement.</p>	<p>It is, submitted that the correct Khasra No. as per the revenue records is 673/484/1, but due to clerical mistake the Khasra Number 863/419 was written in Check List No. 7 attached in the proposal folder. Even, all the NOCs are granted for correct Khasra No. i.e. 673484/1. The correct/revised copy of check list No. 7 duly signed by Mining Officer, and DFO Churah is attached herewith.</p>

Yours faithfully,

Nodal Officer-cum-APCCF (FCA)
O/o Pr.CCF, H.P, Shimla-1
Dated Shimla-1, the 18 OCT 2019

Endst. No. Ft. 48-3691/2017(FCA)

Copy is forwarded to the following for information and necessary action:-

1. CCF Chamba w.r.t his office Memo. No. 5723 dated 10.10.2019.
2. DFO Churah.
3. District Mining Officer, Chamba, Distt. Chamba, Himachal Pradesh.

Nodal Officer-cum-APCCF (FCA)
O/o Pr.CCF, H.P, Shimla-1

15/10/19