

No. 923
HP Forest Department

Dated Rampur the 28-05-2025

From:- DCF Rampur.

To: CCF (T) Rampur.

Subject:- Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evan Samvardhan) Adhiniyam, 1980 in favour of M/s Bushahr Laghu Udyog, VPO Jhakri, Tehsil Rampur Bushahr for non-forestry use of 2.1532 ha. of Protected Forest (1.4612 ha. for mining lease and saety zone, 0.3400 ha. for approach road and 0.3520 ha. for staking of raw material) for already established Stone Crusher at Pashada, P.O. Khaneri, within jurisdiction of Rampur Forest Division, Tehsil Rampur Bushahr, District Shimla, Himachal Pradesh. (Online No. FP/HP/MIN/34194/2018).

Memo: Please refer to your office memo No 6310 dated 12-03-2025 on the subject cited above.

2. In this context, it is submitted that the point wise reply to the observation raised vide your office letter under reference is furnished as under.

Sr. No	Observation	Reply
1.	DFO, Rampur Forest Division has mentioned in his Part-II that there is no violation of Adhunyam. Whereas, as per DSS report non-forestry work is visible in the lower part of proposed area. Clarification in this regard needs to be submitted by the State Government. If there is any violation in the area, detailed violation report mentioning extent and nature of violation and action taken against the officers responsible for Violation may be submitted.	The lower part of the proposed area where non-forestry work is visible is part of the lease granted for establishment of Stone crusher and quarry which was approved by the central government under FCA 1980 (Annexure -1) (uploaded at Sr. No. 16 of Additional information Part-II.) and hence the non-forestry work therein doesn't fall under purview of any violation. The same is being verified by a fresh demarcation being done conjointly with the revenue department and the results of the same shall be communicated in the due course. Also, what is visible on the DSS is a land slide which had occurred in the vicinity of the said stone crusher and quarry site. This slide was attributed to heavy rainfall and not due to the operations of the user agency. The details of the same have been verified by a Joint Inspection Report of 2010 (Annexure -2) uploaded at Sr. No. 16 of Additional information Part-II. It is further intimated that for the said lower part the user agency has also applied for the renewal of forest clearance vide online Proposal No.

		FP/HP/IND/35171/2018.
2.	Mining plan was issued by Department of Industries vide letter No. Udyog Bhu (Khani-4) Laghu-9/2015-13775 dated 31.03.2018 for a period of 5 years. Revised mining plan needs to be submitted.	It is clarified that the mining plan has been approved for a period of five years from the date of execution of mining lease deed (Annexure -3). Uploaded at Sr. No. 16 of Additional information Part-II. However, the mining lease deed shall only be executed upon the final approval under FCA. Thus as of date the mining plan approved on 31.03.2018 remains valid. Approval Letter of Mining Plan is attached as Online Additional Information column No M-2 (iii) in online Part-I.
3.	Site inspection report submitted by DFO, Rampur along with the proposal is done in 2018, almost 6 years has been lapsed. During the intervening period of almost 6 years, forest composition might have been changed. Therefore, a revised site inspection report may be submitted as on today.	The forest composition in the said area has largely remained the same (as confirmed from Google earth imagery). Also, a site inspection was done on April 4, 2025 and the report is uploaded online Part II Sr. No 17 of additional information.

4.	In the proposal, width of the road was mentioned as 14 mtr. Regional Office in their EDS dated 14.06.2022 had requested State Government to review and revise the average width of the approach road in accordance with FC guideline. Wherein, the State Government have replied in their reply that DFO, Rampur has intimated that the average width of the proposed road has been reduced to 5 mtrs. In this regard, due to reduction in width of the road, change in area proposed for road and total area proposed for diversion, if any, may be intimated by the State Government.	Justification for the proposed Haulage Road. It is clarified that the width of the road is 8m instead of 5m. The error was caused owing to the earlier reply of the user agency wherein they had inadvertently mentioned the width to be 5m which was accepted by this office. It is now clarified by the user agency that the actual required width of the road is 8m. Generally, the width of road is 5-7 mtrs as per PWD Specification. However, the terrain of the proposed haulage road is on a steep gradient at this terrain it would be difficult to transport the excavated material to crushing site. Therefore, proposed width has been proposed to 8 mtrs with a safe gradient of 1/14. For protection of the haulage road retaining wall or protection wall needs to be constructed, which 2 mtrs of space needs either side of the road. Thus, the 8m wide haulage road with 2m wide retaining walls are part of Khasra no14/1 measuring 3400 sqm. The haulage road with 8m width occupies 2083 sqm. The remaining 1317 sqm of the Khasra area has been added to the area reserved for ancillary activities including stacking in Khasra No. 22/1
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		measuring 3520 sqm. Thus, the total area of ancillary activities site is 4837 sqm. Even the Joint Inspection Report dated 18-03-2017 has stated that the Kh. No. 14/1 measuring 3400 sqm and Kh. No. 22/1 measuring 3520 sqm can be used as approach road and for other ancillary activities. The said adjustment may thus be allowed as the two Khasra conjoint each other. Thus, there is no real change in the total area sought for diversion.
5.	An area of 0.352 ha forest land has been proposed for stacking of raw materials. Justification for the same needs to be submitted. Further, the State Government may also explore the possibility of shifting the same to non-forest land and revised area, if any, may be intimated to the Ministry.	As clarified under EDS 4, area proposed for Raw material stacking is 4837 ha instead of the 0.3520 reported earlier. The Site Appraisal Committee in their joint inspection has approved the said area for stacking of raw material. The user agency has expressed its importance to the said project. As conveyed by the user agency, per year 30000 MT of raw material shall be produced per annum. This material needs to be stacked before being processed in the crusher. On these two grounds the required appears to be justified. Further, there is no NON-Forest Land available near to the site due to applicability of the notification of 1952. NAC issued by the DC is also attached online portal at Sr. No 06 in part I of additional information.
6.	Proposed forest land for diversion is located at an approx. aerial distance of 8.39 km from Rupi Bhaba WLS and 9.86 km in Daranghati WLS. Comments from PCCF (Wildlife)/CWLW from conservation point of view and with regards to distance from ESZ for Rubi Bhaba WLS and Daranghati WLS needs to be submitted.	Comment of PCCF Wildlife has been uploaded online portal at Sr. No 5 Part II in additional information.
7	Calculated area of shape file/ KML file of Forest land proposed for diversion is 2.70 ha. whereas, area proposed for diversion is 2.1532 ha. Discrepancy of 0.5468 ha is observed. Revised KML file (component wise) For exact area proposed for diversion needs to be submitted.	Revised and corrected KML file, as submitted by user agency has been uploaded in online Part-I
8	As per DSS, observation based on Google Earth solid structure is visible in area proposed for CA. Clarification in the regard needs to be submitted by the State Government.	Revised Map/KML of CA has been uploaded in online Part II

9	Legal status of proposed CA site cannot be verified due to unavailability of RF/PF boundary for the State of Himachal Pradesh on DSS. State Government is requested to submit KML file of compartment boundary of area proposed for Compensatory Afforestation.	CA area falls between DPF Sukigad 113 and UF Shandal. Details uploaded in online Part II Colum 9 Sr. No. 2 KML file of compartments of Rampur FD as obtained from GIS cell Shimla has been uploaded.
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It is, therefore, requested that the case is forwarded online wib portal for further transmission to the quarter concerned please.

Encl: - As above.


 Dy. Conservator of Forests,
 Rampur Forest Division,
 Rampur Bushahr.

191

Government of India
Ministry of Environment & Forests
Northern Regional Office,

Bays No.24-25,
Dakshin Marg,
Sector-31A,
Chandigarh-160030

F.No. 9-HPB414/1997-CHA

Dated Friday, August 18, 2006

To

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

Sub Division of 0.2898 hectare (instead of 0.5448 hectare) of forest land in which the quarry site is only 0.1964 hectare in favour of Bushahr Laghu Udyog, Pashada for mining and installation of stone crusher under Rampur forest division, District Shimla, Himachal Pradesh.

Sir,

I am directed to refer to Government of Himachal Pradesh letter No FFE-B-F(2)17/2005 dated 22nd February 2005 and letter from Nodal Officer (FCA)-cum-CF (P&L) letter No. Ft.48-314/97 (FCA) dated 14th August 2006 on the above mentioned subject seeking prior approval of the Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980

After careful consideration of the proposal of the State Government, approval of the competent authority is hereby conveyed for diversion of 0.2898 hectare (revised) of forestland for the above mentioned subject to following conditions:

1. Legal status of the forest land will remain unchanged.
2. No tree felling is involved in this case.
3. The forest land will not be used for any purpose other than that specified in the proposal.
4. An undertaking from the user agency may also be obtained stating that in case the rates of NPV are revised upwards, the additional/differential amount shall be paid by the user agency.
5. User agency shall construct 8.00 ft high retaining wall at its own cost towards crusher site to avoid rolling down of debris in the adjoining nallah.
6. Safety zone area will be properly fenced and maintained at the cost of user agency. CA plantation will be carried out over 1.5 time of the safety zone area as per proposed scheme at a cost of Rs. 20,000/- (rupees twenty thousand only) which is report to have already been deposited by the user agency. Plantation will be done within one year from the date of issue of this letter.
7. Recommendations of the approved mining plan w.r.t mining and operations will be strictly adhered to.
8. No damage of any kind will be caused to the adjoining forest area and all the protection/ precautions measures as suggested by the Geologist in his report for stability of the forest area be strictly adhered to.
9. It will be responsibility of the State Government to obtain prior approval/clearance under all other relevant Acts/Rules/Court's Rulings/instructions etc. as applicable to this proposal.

The Ministry may revoke/suspend the clearance if implementation of any of the above conditions is not satisfactory. State Government will ensure fulfillment of these conditions through forest department.

Hindi version will follow

Yours faithfully,
(Signature)
(Rajbir Singh)

Deputy Conservator of Forest (Central)

Copy to:-

1. The Pr. Chief Conservator of Forests, H.P., Talland, Shimla-171001.
2. The Director (FC), Ministry of Environment & Forests, Paryavaran Bhawan, CGO Complex, Lodi Road, New Delhi
3. DFO, Rampur Forest Division and District Shimla, Himachal Pradesh.
4. M/s Bushahr Laghu Udyog, VPO Pashada, Tehsil Rampur, District, Shimla, HP
5. Guard file


JOINT INSPECTION REPORT

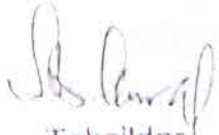
Joint Inspection to ascertain the cause of land slide in the adjoining of M/s Bushahr Laghu Udyog, Pashada have been conducted by the committee vide SDM (Civil) Rampur office letter No. RMP-SDM/2010-1112 dated 29-10-2010. The committee has observed that the machinery of stone crusher has been setup on Khasra No. 38 and Kh. No.112/21/1(0-19-60 Hect.) is for quarry and Kh. No. 494/480/33/1 (0-06-20 Hect.) is for grit storage and for dumping site. It is also stated that no encroachment on Govt./forest land has been done by the user agency.

After spot inspection by the committee it was found that the no unscientific mining has been done by the user agency but the land slide occurred due to heavy rain fall during this season and some part of diverted area comprising Khasra No. 112/21/1 have been affected in the land slide alongwith safety zone area. It seems that the land slide occurred due to heavy rain (natural calamity) involving uprooting of 10 trees of chl of different classes (detail attached).

It is submitted that in the lease area the mining activities should be carried out in a scientific manner by making benches etc. and other conditions as suggested in the mining plan. The slided portion of the area should be stabilized and no mining should be done towards the slided portion of the forest area.

As the land slide affected the diverted area of M/s Bushahr Laghu Udyog bearing Kh. No.112/21/1 which is for the quarry. Hence the committee recommended the remedy of slide portion of forest land through crate wire structure to restore the area and plantation in the safety zone area as well as slided portion of land through user agency under the guidance of forest department, so that further erosion can be checked.


Smt. Kanaktu Devi,
M/s Bushahr Laghu Udyog,
PO Jharkh Rampur Bushahr.


Tehsildar,
Rampur Bushahr (M.P.)

372/40

Mining Officer,
Distt. Shimla, H.P.

Mining Officer,
Shimla, Distt. Shimla

17/5/24
Assistant Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr, H.P.

Environmental Engineer,
HSE & Environment Control Board,
Rampur Distt. Shimla HP

Sub-Divisional Magistrate (C),
Rampur Bushahr, H.P.

REGISTERED

No. Udyog-Bhu(Khami-4) Laghu-9/2015
 Government of Himachal Pradesh
 Department of Industries
 "Geological Wing"
 Dated, Shimla-171001,

-13775

31/3/2018

To

✓ Smt. Kanegtu Devi,
 Prop- Bushahar Laghu Udyog,
 Village & P. O. Jhakri,
 Tehsil Rampur, Distt. Shimla, H. P.

Subject:-

Approval of Mining Plan of area applied for grant of mining lease for extraction of Stone from Khasra No. 13/1 measuring 01-46-12 Hect. (Govt. land, Hill slope) falling in Mauza Pashada of Tehsil Rampur, Distt. Shimla, H. P. for which letter of intent has been issued on 26.8.2017.

Dear Sir


In exercise of powers conferred by Rule 36 of Himachal Pradesh Minor Mineral (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules 2015, I hereby approve the above said Mining Plan for the purpose of obtaining Environment Clearance of the area applied for grant of mining lease for which the letter of intent has been issued on 26.8.2017. The mining plan is approved for a period of five years from the date of execution of mining lease deed. This approval is subject to the following conditions:-

1. That the Mining Plan is approved without prejudice to any other laws applicable to the mine/area from time to time whether made by the Central/State govt. or any other authority.
2. That this approval of the Mining Plan does not in any way imply the approval of Govt. in terms of any other provisions of the H. P. Minor Minerals (Concession) Revised Rules, 1971 now repealed as Himachal Pradesh Minor Mineral (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules 2015 or any other laws including Forest (Conservation) Act, 1980, Environment Protection Act, 1986 and the rules made there under and other relevant statutes, orders and guidelines as may be applicable to lease area from time to time.
3. That the Mining Plan is approved without prejudice to any orders or directions from any Court of competent jurisdiction.
4. That in case State Geologist/Geologist, any other inspecting officer/official of Geological Wing Department of Industries, after field inspection notices that proposals made and workings shown in the mining lease by the RQP need certain corrections/ amendments due to change in conditions either natural or man made, the inspecting officer can recommend necessary amendments in the Mining Plan at any point of time in the interest of environment and mineral conservation.
5. That the lease holder shall procure Environment clearance from the competent authority as per Environmental Impact Assessment notification 2006 and amendments/notifications issued time to time in this regard.
6. That the approval of proposed mining operations is restricted to the mining lease area only.

7. That in case additional conditions are imposed by the Ministry of Environment & Forests Govt. of India while according clearance under EIA notification dated 14.9.2006 and any condition imposed by the State Govt. while granting mining lease the same shall have to be incorporated by making necessary amendments in the Mining Plan by the lessee through R. Q. P.
8. That in case Mining lease is not renewed or is terminated or working is suspended before the expiry of the lease period due to any reason, the approval of Mining Plan shall stand automatically cancelled.
9. That the lease holder shall carry out production of mineral in accordance to the production shown in Mining Plan and Environmental Clearance which ever is less.
10. That no person shall undertake mining operations in any mining lease area, except in accordance with a Mining Plan approved under sub rule (2) of Rule 39 of Himachal Pradesh Minor Mineral (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules 2015.
11. That the lease holder shall carry out working in the mining lease area as per Mining Plan only after obtaining permission to work in the mining lease area from the competent authority.
12. That if the mining operations are not carried out in accordance with the approved Mining Plan the State Geologist, Geologist Assistant Geologist and the Mining Officer, may order suspension of all or any of the mining operations and permit continuation of only such operations as may be necessary to restore the conditions in the mine as envisaged under the said Mining Plan.
13. That if any thing is found to be concealed as required under various Rules and guidelines pertaining to mining in the context of the Mining Plan and the proposal for rectification has not been made, the approval shall be deemed to have been withdrawn with immediate effect.
14. That in case of any violation of terms and conditions of the approved Mining Plan, the financial assurance deposited by the said lessee shall be liable to forfeited.

Enclosed:- Copy of approved Mining Plan.


Yours faithfully,


State Geologist
Himachal Pradesh
Shimla-171001.
Dated, 2018

Encl: No. As above.

Copy for kind information to:-

1. The Mining Officer, Shimla, Distt Shimla, H. P. alongwith a copy of Mining Plan for further necessary action.
2. Sh. J. L. Sud. (Retd. Geologist), 19 Type-IV, Govt. Officer Colony, Kasumpti, Shimla-171009, H. P.


State Geologist
Himachal Pradesh
Shimla-171001.

CHECK LIST SERIAL NUMBER-15

SITE INSPECTION REPORT NOT BELOW THE RANK OF DCF.

(For the forest land to be diverted under FCA)

A proposal has been received by this office from Smt. Kangetu Devi Prop: - M/S Bushahr Laghu Udyog, VPO Jhakri, Tehsil Rampur Bushahr, Distt. Shimla H.P. for diversion of 2.1532 ha. of Govt./forest land for non-forestry purpose under Section-2 of FCA,1980. The project envisages the use of Govt./forest land for mining lease, approach road & stacking of material to fulfill the raw material supply. The site inspection of the land involved in the proposal has been done by me on dated 04.04.2025.

On inspection of the site, it is found that out of 2.1532 ha. of total Govt./forest land required by the user agency is part of DPF-Pashada.

The requirement of forest land as proposed by the user agency in col. 2 of part-I is unavoidable and is barest minimum required for the project. Out of the total 2.1532 Ha, 1.4612 Ha is the proposed mining area which also includes the safety zone. The remaining area is needed for ancillary activities like stacking etc. and haulage road.


No rare/endangered/unique species of flora and fauna is found in the area. Scattered growth of pine trees is observed in the areas. Occasional movement of a leopard and Himalayan black bear gets reported in the area, however, there is nothing to suggest on evidence that any of these species reside at the project area or its vicinity permanently.

No protected archaeological/heritage site/defense establishment or any other important monument is located in the area.

The user agency has not violated the provisions of Forest (Conservation) Act, 1980 and no work has been started without proper sanction.

Specific recommendation for acceptance or otherwise of the proposal: The proposal is accepted on the grounds of sustainable developmental needs to be carried out in accordance with approved mining plan, and is therefore recommended for approval.

Dated:05.04.2025
Place: Rampur Bushahr


(Gurharsh Singh), IFS
Dy. Conservator of Forests,
Rampur Forest Division,
Rampur Bushahr (H.P.)
Office Seal _____

No. WL (Misc.)-/Mining & Stone Crusher Rampur/
Himachal Pradesh Forest Department
(Online FCA No. FP/HP/MIN/161/1997)

Dated Shimla-1, the _____

From: Pr. CCF (WL) & To: Nodal Officer (FCA)
CWLW, HP Shimla. O/o PCCF (HoFF) HP

Subject: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sarankashan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s Bushahar Laghu Udyog, VPO Jhakri, Tehsil Rampur Bushahar for non-forestry use of 2.1532 hectare of Protected Forest (1.4612 ha.) for mining lease and safety zone, 0.3400 hectare for approach road and 0.3520 ha. for staking of raw material) for already established Stone Crusher Pashada, P.O. Khaneri, within the jurisdiction of Rampur Forest Division, Tehsil Rampur Bushahr, District Shimla, HP (Online No. FP/HP/Min/34194/2018)

Memo.

Refer to your office letter No. HPFD-F05/16/2024/FCA dated 21.03.2025 on the subject cited above.

In this regard, it is informed that the matter has been enquired into by DCF Rampur and on the basis of his report the comments of undersigned are as under:-

1. That the distance of the project site from Eco Sensitive Zone of Rupri Bhabha WLS is 18.22 Kms instead of 8.39 Kms and the project is outside the said Eco Sensitive Zone.
2. That the nearest distance of above project site from the Eco Sensitive Zone of Daranghati WLS is 7.57 Kms and also falls outside the purview of ESZ.
3. DCF Rampur further stated that there is no rare/endangered/unique species of flora and fauna found in the above said area but some scattered growth of pine trees is observed in the area. Only occasional movement of leopard and Himalayan black bear is reported from the area, however, there is nothing to suggest on evidence that any of these species reside at the project area or its vicinity permanently.

This is for favour of information and further necessary action at your end please.

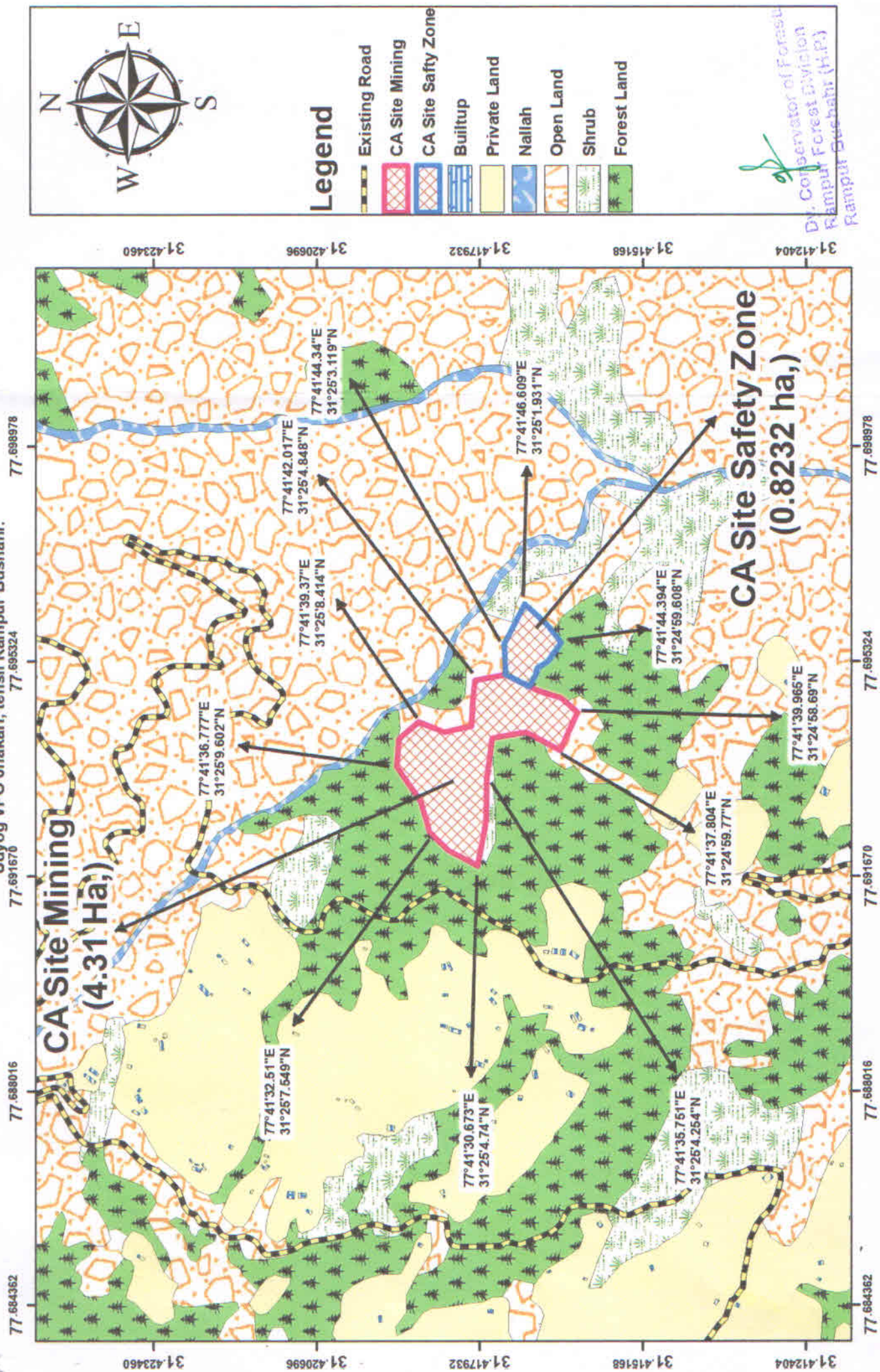
Signed by
Amitabh Gautam

Date: 19-05-2025 10:36:39
PCCF (WL) HP

Cc:- DCF Rampur w.r.t. his office letter dated 07.05.2025 for information and necessary action.

DIGITAL LAND USE MAP

CA Site Diversion of 2.1532 Ha. of forest land (1.4612 Ha. for mining lease and safety zone, 0.3400 Ha. for approach road and 0.3520 Ha. for stacking of raw material) for already established stone crusher at Pashada, P.O. Khaneri, Tehsil rampur Distt. Shimla H.P. in favour of M/s Bushahr Laghu Udyog VPO Jhakari, tehsil Rampur Bushahr.



Dr. Conservator of Forests
Rampur Forest Division
Rampur Bushahr (H.P.)