

कार्यालय, प्रभागीय वनाधिकारी, तराई पश्चिमी वन प्रभाग, रामनगर (नैनीताल)

पत्रांक 3634 / 12-1

दिनांक रामनगर 01/02/2023

सेवा में,

प्रभागीय प्रबन्धक खनन
उत्तराखण्ड वन विकास निगम
रामनगर (नैनीताल)

विषय: जनपद नैनीताल में तराई पश्चिमी वन प्रभाग, रामनगर के अन्तर्गत आरक्षित वन क्षेत्र में बहने वाली कोसी नदी (भाग-1) के लीज नवीनीकरण प्रस्ताव में आपत्ति के संबंध में।
FP/UK/MINING/147885/2021

संदर्भ: वन एवं पर्यावरण मंत्रालय भारत सरकार की पत्र संख्या 8-61/1999-FC pt-vi दि. 31 जनवरी 2023

महोदय,

उपरोक्त विषयक वन एवं पर्यावरण मंत्रालय भारत सरकार के संदर्भित पत्र द्वारा कोसी नदी भाग-1 के लीज नवीनीकरण प्रस्ताव में आपत्ति लगाई गयी है, जो याचक विभाग से संबंधित है। वन एवं पर्यावरण मंत्रालय भारत सरकार के पत्र की प्रति संलग्न है। उक्त लगाई गयी आपत्तियों के संबंध में अवगत कराना है कि वन एवं पर्यावरण मंत्रालय भारत सरकार के द्वारा बार-बार एक ही प्रकार की आपत्ति प्रस्ताव में लगाई जा रही है, याचक विभाग द्वारा आपत्तियों का अक्षरतः पालन न करते हुए पूर्व में भेजे गये जवाब को ही बार-बार प्रेषित किया जा रहा है। उक्त क संबंध में वन संरक्षक पश्चिमी वृत्त कार्यालय के द्वारा भी आपत्ति व्यक्त की जा रही है।

अतः आपको निर्देशित किया जाता है कि आप वन एवं पर्यावरण मंत्रालय भारत सरकार द्वारा लगाई गयी आपत्तियों का बिन्दुवार अक्षरतः अनुपालन किये जाने पर ही प्रतिउत्तर इस कार्यालय को उपलब्ध करायें ताकि प्रस्ताव पर इस कार्यालय द्वारा स-समय अग्रतर कार्यवाही की जा सके।

संलग्न-उपरोक्तानुसार

भवदीय

(प्रकाश चन्द्र आर्य)
प्रभागीय वनाधिकारी

तराई पश्चिमी वन प्रभाग, रामनगर

पत्रांक / /दिनांकित

प्रतिलिपि वन संरक्षक पश्चिमी वृत्त, उत्तराखण्ड, हल्द्वानी को उपरोक्तानुसार सूचनाथं प्रेषित।

(प्रकाश चन्द्र आर्य)
प्रभागीय वनाधिकारी

तराई पश्चिमी वन प्रभाग, रामनगर

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

Indira Paryavaran Bhawan,
 Jor Bag Road, Aliganj
 New Delhi - 110003

Dated: 31st January, 2023

To

The Chief Secretary
 Government of Uttarakhand
 Dehradun

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (ii) of the Forest Conservation Act, 1980 for renewal of FC approval for collection of minor mineral from 181.0 (originally approved 254.0 ha) ha of forest land of Kosi River in favour of Uttarakhand Forest Development Corporation Mining Division, Ramnagar under Terai Western Forest Division, Farnagar, and District Nainital, Uttarakhand (Online No. FP/UK/MINING/147885/2021)

Madam/Sir,

I am directed to refer to your DO letter dated 20.01.2023 regarding extension of validity of approval for diversion of 181.0 ha of forest land for collection of boulder, bajri, sand etc. vide letter No. 8-61/1999-FC (Pt. I) dated 15th February, 2013 as the formal renewal of the same is likely to take some time. The State Govt. has submitted an online proposal No. FP/UK/MIN/147885/2021 for the renewal of the above mentioned approval, which was received by the Ministry on 12.04.2022. After detailed examination of the proposal, the shortcomings observed were communicated to the state vide letter dated 13.05.2022 and 15.09.2022. The reply to the observations was submitted by the State vide letter dated 02.08.2022 (received in the Ministry on 16.08.2022 with all enclosures along with CD containing the kml files) and vide letter dated 16.11.2022 respectively. However, the State did not submit the complete reply to the observations and accordingly the Ministry vide letter dated 30.12.2022 again requested the State government for the needful.

2. Now, the State Govt. vide letter No. 1684/FP/UK/MIN/147953/2021 dated 13.01.2023 has submitted the reply to the observations raised, however, the shortcomings as elaborated below are still required to be attended by the State government:

- i. The State Govt. has now submitted the mining plan approved by the Department of Mining and Geology Govt. of Uttarakhand. The said mining plan approved for next 5 years contains a letter No. 2170/VII-A-1/2021/21(ख)13 dated 30.12.2022 issued by the Government of Uttarakhand

- wherein the condition no. 13 stipulates that the User Agency will carry out mining after leaving 15% area on each bank of the river. Whereas, the condition at Sr. no (xi) of the approval dated 15.02.2013 stipulates that extraction of minor minerals shall be restricted to the middle half of the width of the river bed after leaving intact one fourth of the width of the river bed along its each bank. The said condition which is contrary to the conditions of stage-II approval needs attention of the State government and clarification may accordingly be submitted
- ii. Fresh DSR has not been submitted by the State till date. In the reply of the Ministry observation's dated 30.12.2022 at S. no. (iii), the state has informed that the Department of Mining Government of Uttarkhand vide letter dated पत्र सं-870/भूखनि0ई0/खनन ई-खन्ना /2022-23 दिनांक 30.10.2022 has informed that the DSR for the District of Nainital has not been prepared after 2018 and this report is applicable for the present period. After the examination of the letter of Department of Mining Government of Uttarkhand vide सं-870/भूखनि0ई0/खनन ई-खन्ना /2022-23 दिनांक 30.10.2022 it is found that the Mining Department has only said that the DSR for the District of Nainital has not been prepared after 2018, whether it is applicable or not for the present period it has not been informed by them. The same may be clarified and a fresh DSR may be submitted.
 - iii. All the parameters prescribed in the Handbook of guidelines dated 28.03.2019 have still not been included in the cost benefit analysis. which is required to be done.
3. Keeping in view the request of the State Government to extend the validity of the approval accorded vide letter dated 15.02.2013 and based upon the approval of the competent authority, it has been decided that the Government of Uttarakhand may allow the User Agency to collect the minor minerals from already broken up area where the mining operation is presently going on, beyond the date of validity of the approval dated 15.02.2013 till 28.02.2023 i.e. w.e.f. 16.02.2023 to 28.02.2023.
4. The State Government shall however immediately submit the reply to the observations as contained above in Para 2 of the letter along with the latest point wise status of compliance of the conditions stipulated in the S-II approval dated 15.02.2013 so that the proposal for renewal of validity of forest clearance can be placed before the FAC for consideration.

This issues with the approval of the competent authority.

Signed by Suneet Bhardwaj
Date: 31-01-2023 16:23:48

Yours Sincerely,

Sd/-
(Suneet Bhardwaj)
Assistant Inspector General of Forests

Copy to:

1. Principal Secretary (Forests), Government of Uttarkhand, Dehradun.
2. PCCF (HoFF), Govt. of Uttarakhand, Department of Forest, Dehradun.
3. Regional Officer, Integrated Regional Office, MoEF&CC, Dehradun (*with a*