

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj
New Delhi - 110003
Dated: 10th May, 2022

To
The Secretary (I/c for Forests),
Government of Uttarakhand
Dehradun

Sub: Renewal of diversion of forest land of 112.0 ha, out of 223.0 ha approved originally, in favour of Uttarakhand Forest Development Corporation, Mining Division, Ramnagar for collection of Minor Minerals from Dabka river in Ramnagar Forest Division, District Nainital (Uttarakhand) (Online proposal no. FP/UK/MIN/147953/2021) – reg.

Sir,

I am directed to refer to Government of Uttarakhand's online proposal No. FP/UK/MIN/147953/2021 dated 12.04.2022 on the above subject seeking prior approval of the Central Government under Section 2 (ii) of Forest (Conservation) Act, 1980 and to inform that examination of the said proposal in the Ministry revealed the following:

- i. As per DSS analysis, out of total area of 115.60 ha (software estimated), 2 ha falls under MDF, 2 ha under OF and remaining 111 ha as non-wooded category. Therefore, in light of observation made in DSS report, submission made by the State need justification to support their claim of area having vegetation density of 0.4 with no project affected trees. Discrepancy in the area may also be commented upon by the State.
- ii. Corbett Tiger Reserve is located at a distance of approximately 0.9 km from the boundary of the area proposed for diversion. As per the direction contained in the Supreme Court order dated 4.08.2006, mining within 1 km distance from the boundary of any PAs is prohibited. Therefore, State Government needs to furnish their considered opinion on the proposal vis-à-vis direction contained in Hon'ble Supreme Court order dated 4.08.2006.
- iii. Detail of compensatory afforestation, in lieu of approval accorded for 233 ha of forest land, undertaken in the past, its survival percentage, year wise detail of expenditure proposed and incurred needs to be submitted by the State along with soft copies of KML/shape files of all sites.
- iv. Examination of the Mining Scheme submitted along with the proposal revealed the following:
 - a. Proposal has been submitted only for 112.0 ha while the Mining Scheme has been approved for an area of 233 ha. The discrepancy needs to be rectified by the State.
 - b. Chapter – 12 of Mining Plan mentions that sandy soil will be removed during mining operations and precautionary measure will be undertaken for its storage. However, detail of measures and area earmarked for its storage have not been addressed in the Mining Plan.
 - c. Land use/Component wise breakup of the area proposed for diversion i.e. area under mining, infrastructure, approach road, storage of top soils, etc. has not

- been mentioned neither in the proposal nor in the Mining Plan. The same needs to be furnished by the State.
- d. Proposal for renewal of approval under FC has been submitted for a period of 10 years while Mining Plan/Mining Scheme has been approved for a period of 3 years (Pg 142/c).
 - e. Mining Plan essentially has to be prepared in consonance with the provisions of the relevant mineral concession rules and accordingly diversion proposal should be formulated by the State. Mining Plan, if any, prepared and approved for the entire period of 10 years may be submitted by the State providing the full detail of the land use, mining area, its reclamation, etc.
 - v. Status of District Survey Report, if any, prepared by the State Government in Nainital District in accordance with the Guidelines on Sustainable Sand Mining -2019 issued by the Ministry vis-à-vis recommendation made thereof on the mining of RBM proposed in the extant proposal.
 - vi. The State Government may also submit its comments whether the report prepared by the Indian Institute of Soil and Water Conservation is in conformity with the Sustainable Sand Mining Guidelines 2019 or otherwise.
 - vii. Estimation of cost benefit ratio does not account for all parameters specified in the Guidelines dated 1.08.2017 issued by the Ministry, incorporated at Annexure -III of Handbook of Forest (Conservation) Act, 1980. Therefore, cost benefit analysis needs to be re-visited by the State to ensure accounting of all specified parameters using appropriate techno-economic tools.
 - viii. As per Supreme Court order dated 28.03.2008, revenue earned from the sale of RBM should be utilized for conservation work. Detail of amount earmarked and incurred on conservation may be provided on annual basis for the last decade.
 - ix. Details of money deposited in SPV made in the previous approval and SMC works done so far may also be provided.

Yours faithfully,
Sd/-
(Charan Jeet Singh)
Scientist- D

Copy to:

1. Addl. Chief Secretary (Forest), Govt. of Uttarakhand, Department of Forest, Dehradun.
2. PCCF (HoFF), Govt. of Uttarakhand, Department of Forest, Dehradun
3. Regional Officer, Integrated Regional Office, MoEF&CC, Dehradun
4. APCCF cum Nodal Officer (FCA) Govt. of Uttarakhand, Department of Forest, Dehradun.
5. User Agency.
6. Monitoring Cell of the FC Division for uploading on the PARIVESH portal.