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भारतसरकार/GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय
Integrated Regional Office
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest and Climate Change
सी.जी.ओ. कॉम्प्लेक्स, शिवालिक खण्ड, लौंगवुड
CGO Complex, ShivalikKhand, Longwood
शिमला, हिमाचल प्रदेश-171001
Shimla, Himachal Pradesh - 171001



ईमेल/Email : iro.shimla-mefcc@gov.in
दूरभाष/Tel.: 0177-2658285
0177-2652541
फैक्स/Fax: 0177-2657517

सेवा में,

अतिरिक्त मुख्य सचिव (वन)
हिमाचल प्रदेश सरकार,
आर्म्सडेल बिल्डिंग, शिमला।
(Email:- forestsecy-hp@nic.in)

विषय: Diversion of 2.057 ha. of forest land in favour of Nav Yasvarr Mine, Sahota Niwas, Ward No. 3 Nalagarh, Distt. Solan, H.P., within the jurisdiction of Paonta Forest Division, Distt. Sirmour, H.P. (Online Proposal No.FP/HP/MIN/38499/2019).

संदर्भ: नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.), हि0प्र0 के पत्रांक 48-3909/2019 (एफ.सी.ए.) दिनांक 11.07.2022.

महोदय,

उपरोक्त संदर्भित पत्र द्वारा प्रस्तुत प्रतिउत्तर का ध्यानापूर्वक अवलोकन करने के पश्चात यह पाया गया कि अभी भी REC द्वारा चाही गई सूचानाओं के सम्बंध में बिन्दु संख्या 2 पर राज्य सरकार द्वारा प्रदान की गई सूचना त्रुटिपूर्ण है। अतः राज्य सरकार चाही गई सूचानाओं के साथ निम्नलिखित बिन्दुओं पर भी सूचनाएं प्रेषित करने का कष्ट करें:-

1. In reply to the observation no. 2 of REC, the State Govt. has submitted the aerial distance from the boundary of National Park (Col: Sher Jung National Park) and it's notified ESZ. However, observation of REC regarding the impact on the riverine Wildlife appears to be affected in the area due to proposed mining has not been provided. Therefore, comments regarding the same may also be provided.
2. As per the **“justification of locating project in forest area”** it is mentioned that entire lease area was broken up. Therefore, comments as well as clarification may be provided, whether extraction of mineral was carried out without the prior approval of Govt. of India under FCA provisions. If yes, then following conditions/justifications may be provided:-
 - (i) The Action Taken Report against the violators as per Para 1.21 (i) and/or (ii) of FCA Guidelines may submitted/ uploaded in the PARIVESH portal.
 - (ii) Action taken by the State Government against the officials concerned for not being able to prevent the use of forest land for non-forestry purpose without prior approval of Govt. of India.
 - (iii) State Govt. may provide the present status of the violation whether the work is continuing or halted.
 - (iv) The Penal NPV/Additional NPV calculation sheet/bills as per revised NPV rate by MoEF & CC dated 06.01.2022 may be provided.
 - (v) The column/table in Part-II, Para-11 may also be filled up.
3. Clarification regarding utility of the minerals to be extracted from the proposed mining lease area may be provided.
4. The DSR report duly authenticated by the competent authority may be provided.

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5. The FRA Certificate has been provided, however, all prescribed annexures including records of all consultations and meetings with Gram Sabha (s) and FRC(s) of concerned villages needs to be submitted.
6. The copy of Environmental Clearance is not provided. Same may be provided/uploaded on the PARIVESH portal.
7. In the Layout Plan the approach road has been proposed, however in the KML file and Component wise breakup (Part-1, B-2.4) and land use plan, the approach road is not mentioned. Therefore, State Govt. may comment on the same and clarify how the proposed mining lease area will be accessed. If approach access from nearest road to proposed mining lease area required, same may be included in the component and revised the proposal accordingly.
8. In Part-I, para-M-2 (vii) uploaded, map of the outer boundary of mining lease is same as of KML file of DA area. Comments in this regard may also be provided.
9. In the Part-1, M-1, (c) copy of "Letter of Intent" is uploaded, which is of the year 2020 and valid for period of 1 year. Therefore, the fresh "Letter of Intent" obtained from Competent Authority may also be uploaded at designated location in PARIVESH portal.
10. In part-I, Para-M-5.2, the Estimated Reserve is given as 43875 million tons, however in para-M-7 (i), it is given as 46800 million tons. Therefore, State Govt. may review and clarify the mismatch and rectify the same, if required.
11. In part-I, Para, M-2 (iv) instead of copy of approved Mining Plan, copy of approval of Mining Plan has been given. Therefore, The State Govt. may review and submit the approved Mining Plan.
12. Undertaking for the deposition of amount for afforestation on degraded forest land to be selected elsewhere measuring one and half time the area of forest land under Safety Zone, with the State Forest Department, in addition to depositing funds under State Forest Department for the protection and regeneration of the Safety Zone area as per FCA Guidelines Para-2.6 (ii) is required to be submitted.
13. As per the guidelines Para-7.9, the width of 10 meter and 50 meter strip on either side of public road and natural stream respectively located inside the mining lease shall be protected but will not be considered as part of safety zone. The State Govt. may provide comments in this regard.
14. It has been observed from KML file that all the components of Diversion area are not shown. Therefore, the revised KML file showing all the component namely i.e. mining lease area and the peripheral area/Outer boundary/safety zone area as per (Para-7.5 of FCA guideline) within the mining lease area and approach access to the mining lease area in distinct colours may be uploaded on PARIVESH Portal.
15. The State Govt. may rectify and fill the correct area figure of geographical area of district profile in Part-II, para-1.
16. As per the DSS analysis, the Proposed DA falls in distt. Dehradun (Uttarakhand) and not in district Sirmaur (Himachal Pradesh). Therefore, State Govt. may review and comment on the same.
17. As per the DSS analysis, the proposed DA area is 2.057 ha however, the calculated area is 2.14 ha. Therefore, State Govt. may review the difference in proposed DA area and calculated area.
18. As per the DSS analysis, the proposed area for CA is 4.5 ha, however, the calculated area is 4.38 ha. Therefore, State Govt. may review the difference in proposed CA area and calculated area.
19. As per the DSS analysis, the proposed area for diversion is 0.89 km from the High Conservation value (HCV) Zone of the wetland. Since, the Assan Wetland area is declared as "Ramsar Site" a habitat to many vulnerable, endangered, or critically endangered species of flora and fauna (especially avian species), which is at aerial distance of 0.89 kms from the proposed mining lease area. Therefore, exact aerial distance from Assan Barrage Bird Sanctuary and comments

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from the concerned authorities regarding the adverse impacts on the habitat of avian species in the Bird Sanctuary and mitigation measure/action Plan may be provided, if required.

20. (i) The status of proposed CA land along with the documentary proof may be provided, whether it is a Govt. Wasteland declared as UPF under HP Govt. notification, 1952 or is notified as UPF/DPF under IFA, 1927 and is in possession of H.P Forest department or not.

(ii) State Govt. may submit certificate regarding the suitability of land for CA in lieu of forest land proposed for diversion in terms of its vicinity to the area being proposed for DA and/or contiguity with the existing forest area and also ensure the manageability as per the latest Guidelines of MoEF & CC vide letter No. 11-423/2011-FC dated 13.07.2022.

यदि चाही गई सूचना पत्र जारी होने की तिथि के 60 दिनों के भीतर (अधिकतम 90 दिन) इस कार्यालय में प्राप्त नहीं हुई तो प्रस्ताव को निरस्त किया जा सकता है।

भवदीय,

हो/-

(सत्य प्रकाश नेगी)

क्षेत्रीय अधिकारी

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. नोडल अधिकारी-सह-अतिरिक्त प्रधान मुख्य अरण्यपाल (एफ.सी.ए.), हिमाचल प्रदेश सरकार, वन विभाग, टालैंड, शिमला (E-mail: nodalcahp@yahoo.com).
2. वन मण्डल अधिकारी, पांवटा वन मण्डल, जिला-सिरमौर, हिमाचल प्रदेश (E-mail: dfopao-hp@nic.in).