

**GOVERNMENT OF MEGHALAYA
FORESTS & ENVIRONMENT DEPARTMENT**

**ORDERS BY THE GOVERNOR
NOTIFICATION**

No. FOR. 14/2017/676

Dated Shillong, the 22nd April, 2022

Sub: Diversion of 6.55 ha. of deemed private forest land for Limestone Mining Project at Madan Pyrda, Chiehruphi Village in East Jaintia Hills District, Meghalaya of M/s Green Valliey Industries Limited.

WHEREAS, the Integrated Regional Office, MoEF & CC, Shillong in their letter F.No. 3-MG B 027/2018-SHI/2596-97 dated 14/10/2019 have communicated the In-Principle/Stage-I approval order in favour of M/s Green Valliey Industries Limited for diversion of 6.55 hectares of deemed private forest land for Limestone Mining Project at Madan Pyrda, Chiehruphi Village in East Jaintia Hills District, Meghalaya subject to fulfilment of conditions stipulated in the said approval.

And whereas, in consideration of the compliance of the conditions stipulated in the In-Principle approval, the Integrated Regional Office, MoEF & CC, Shillong in their letter No.3-MG C 027/2018-SHI/4021-22 dated 30/03/2021 have accorded final approval for diversion of 6.55 hectares of deemed private forest land for Limestone Mining Project at Madan Pyrda, Chiehruphi Village in East Jaintia Hills District, Meghalaya in favour of M/s Green Valliey Industries Limited subject to fulfilment of conditions which are listed herein.

Now, therefore, Government of Meghalaya do hereby permit diversion of deemed private forest land of 6.55 hectares in favour of M/s Green Valliey Industries Limited for limestone mining project at Madan Pyrda, Chiehruphi Village in East Jaintia Hills District, Meghalaya. Detailed land schedule of the diverted forest land of 6.55 ha. has been duly authenticated by the Revenue and Disaster Management Department vide letter No. RDS.97/2017/Pt-I/106-A dated 30/10/2019. Non-forest land of 6.55 ha at Nongumiang Village adjoining the existing Reserved Forest in West Khasi Hills has been transferred and handed over to Forest & Environment Department on 21/07/2020 as per Deed of Transfer of Land signed between the first party (representative of M/s Green Valliey Industries Limited) and the second party (representative of Forest & Environment Department), for the purpose of Compensatory Afforestation.

The Deputy Commissioner, East Jaintia Hills District is authorized to hand over the diverted deemed private forest land to the User Agency in respect of diverted forest land which falls within his jurisdiction in accordance with law provided there are no orders of any Court of law to the contrary. Before handing over the diverted deemed forest land to the User Agency it shall be ensured that payment of compensatory levies, viz, NPV, CA and other related payments in respect of the diverted forest land for this project have been deposited, in full, by the User Agency as per prescribed rate.

The Divisional Forest Officer of Jaintia Hills (Territorial) Division, Jowai and the Divisional Forest Officer (SF & Territorial) West & South West Khasi Hills, Nongstoin are directed to monitor compliance of the conditions stipulated for such diversion in the respective forest/wildlife clearance order and to report violations, if any, to the Nodal Officer FC Act, the PCCF & HoFF, Meghalaya and to the Forest & Environment Department.

Execution of project activities will be subject to having valid mining lease and availability of all other clearances required under relevant Act/Rules for this mining project, deposit of requisite fees and compliance with Court order if any.

The User Agency shall comply with the following conditions for the purpose of instant diversion of forest land:

- (i) The legal status of the forest land shall remain unchanged.
- (ii) Compensatory Afforestation shall be raised and maintained by the State Forest Department over 6.55 ha in single patch equivalent non-forest land located to Nongumiang in West Khasi Hills District adjacent to Nongumiang Reserved Forest as per the fund deposited by the User Agency & scheme furnished by the State Govt. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species shall be avoided.
- (iii) The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from the pillar to pillar and GPS co-ordinates before handing over the forest land to the User Agency.
- (iv) The approval under Forest (Conservation) Act, 1980 is subject to the clearance under the Environment (Protection) Act 1986, if required.
- (v) The forest land shall not be used for any purpose other than that specified in the proposal.

- (vi) The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of Central Government.
- (vii) The mining lease period under the Forest (Conservation) Act, 1980 shall be coterminous with the current lease granted under Mines and Minerals (Development & Regulating) Act, 1957 or Rules framed thereunder or any other Act, or for 20 years, whichever is earlier.
- (viii) Reclamation plan shall be implemented as per the Mining plan approved by the Indian Bureau of Mines. The progress of the implementation of the Reclamation Plan shall be monitored regularly by the State Forest Department and the IRO, Shillong.
- (ix) Demarcation of mining lease area shall be done on the ground at project cost using four feet high reinforced cement concrete pillars with serial numbers, forward and back bearings and distance from pillar to pillar at every 20 meter.
- (x) The user agency shall maintain a strip of at least 100 meter of forest area on the boundary of mining area as a green belt.
- (xi) Top soil shall be protected at the project cost.
- (xii) Other standard conditions as applicable to proposals related to mining shall be applicable in this instant case.
- (xiii) The User Agency shall take all possible precautions & care all the time not to impact adversely the surrounding forests and forest land by their actions/activities.
- (xiv) Tree felling shall be done only when absolutely unavoidable and such removal, if any, shall be done under the supervision of the Forest Department.
- (xv) The layout plan shall not be changed without the prior approval of the Central Government.
- (xvi) The user agency shall be responsible for any loss to the flora and fauna in the surrounding. Any damage done in this regard shall be compensated by the user agency from the project cost as per assessment of the concerned Divisional Forest Officer.
- (xvii) The proposal will be implemented under the overall supervision of the concerned Divisional Forest Officer.

- (xviii) No labour camp shall be established on forest land. In order to avoid pressure on neighbouring forests, the user agency should arrange for fuel, preferably alternate fuel, to the labourers working at site.
- (xix) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest(Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-Fc dated 28.03.2019.
- (xx) The user agency shall comply with all the provisions of the Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
- (xxi) All other clearance/NOCs under applicable rules/regulations/local laws and Forest Dwellers (Recognition of Forest Rights) Act, 2006 as required vide MoEF, New Delhi guideline No.11-9/1998-FC(pt) dated 03.08.2009 shall be complied with.
- (xxii) User agency shall submit an annual self-monitoring report indicating status of the implementation of the conditions stipulated in the approval accorded for diversion of said forest land to the State Government and IRO, MoEF & CC, Shillong.
- (xxiii) This approval may be revoked if the above conditions of approval are not complied to the satisfaction of the Integrated Regional Office, Shillong and the State Forest & Environment Department.
- (xxiv) Any other condition that the Ministry of Environment, Forests & Climate Change, IRO, Shillong and the State Government may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

Sd/-
(Syed Md. A. Razi, I.R.T.S)
Commissioner & Secretary,
Govt. of Meghalaya
Forests & Environment Department.

Copy forwarded to:

- 1 The Private Secretary to Minister of Forests & Environment Department for kind information of Hon'ble Minister.
- 2 The Private Secretary to the Speaker, Meghalaya Legislative Assembly for kind information of the Hon'ble Speaker.
- 3 The Private Secretary to the Leader of Opposition, Meghalaya Legislative Assembly for kind information of the Hon'ble Leader of Opposition
- 4 The Principal Chief Conservator of Forests & HoFF, Meghalaya for kind information and necessary action.
- 5 The Principal Chief Conservator of Forests (Territorial), Meghalaya for information and necessary follow up action.

Appropriate instruction to the Divisional Forest Officer, Jaintia Hills Territorial Division, Jowai and the user agency may be imparted for required follow up action at their end. It shall be ensured by the Divisional Forest Officer that compensatory levies including NPV, as due, in this project of User Agency, is deposited by them in appropriate head of account in full, at applicable rates. The User Agency may also be instructed to furnish compliance to the conditions of forest/wildlife clearance pertaining to the project in every quarter to the Divisional Forest Officer of Jaintia Hills Territorial Division for facilitating monitoring of compliances.

- 6 The Deputy Director General of Forests, Integrated Regional Office, MoEF & CC, Shillong for kind information and necessary follow up action in compliance to the order of the Hon'ble National Green Tribunal (NGT) dated 07/11/2012 in appeal no. 7 of 2012 and 24/01/2014 in OA number 123 of 2013.
- 7 The Additional Principal Chief Conservator of Forests (Wildlife) cum Chief Wildlife Warden, Meghalaya for information and necessary action.
- 8 The Chief Conservator of Forests (SF & Env) cum Secretary, SEIAA, Meghalaya for information and necessary action.
- 9 The Deputy Commissioner, East Jaintia Hills District, Khliehriat for information and necessary action.
- 10 The Divisional Forest Officer, Jaintia Hills Territorial Division, Jowai/Divisional Forest Officer (SF & Territorial) West & South West Khasi Hills, Nongstoin for information and necessary action.
- 11 The Joint Secretary to the Government of Meghalaya, Revenue & Disaster Management Department, Shillong for information and necessary action.
- 12 The Director, Mineral Resources Department for information and necessary action.
- 13 The Member Secretary, Meghalaya State Pollution Control Board, Shillong for information and necessary action.
- 14 The Officer in-charge, State Portal, NIC, I.T. Department, Meghalaya, Shillong for information and necessary action. They are requested to upload this letter along with enclosed forest clearance order of Government of India, Integrated Regional Office, MoEF & CC, Shillong in the website of Forest & Environment

Department for information of all concerned. This is required in compliance to order of Hon'ble National Green Tribunal dated 07/11/2012 in appeal no. 7 of 2012 and 24/01/2014 in OA number 123 of 2013.

- 15 The General Manager, M/s Green Valliey Industries Limited, East Jaintia Hills District, Khliehriat for information and immediate necessary action.
- 16 The Director, Printing & Stationery for publication in the Official Gazette.
- 17 Guard file/ Office copy

By Order etc.

Secretary to the Government of Meghalaya,
Forests & Environment Department.