

Conditions to be imposed at the time of according Stage-I approval

(I) To be complied with before Stage II approved is accorded

General Conditions

- i. Cost of compensatory afforestation as per the CA scheme may be realized from the user agency;
- ii. Net Present Value (NPV) of the forest land being diverted for non-forestry purpose may be realized from the user agency, as per Ministry's directions issued vide letters No. 5-3/2007-FC dated 5th February 2009 and Hon'ble Supreme Court of India's Order dated 30th October 2002, 28th March, 2008, 24th April, 2008 and 9th May 2008;
- iii. As per orders of the Government of India vide letter No. 5-2/2010-CAMPA dated 24.06.2011, the net present value of the forest land and all other CA levies shall be deposited in State specific CAMPA account (s) maintained by the Ad-hoc CAMPA at New Delhi and this office may be informed along with a duly filled in prescribed proforma;
- iv. The user agency shall furnish an undertaking to pay additional amount of NPV, if so determined as per final decision of the Hon'ble Supreme Court of India; and
- v. A certificate in respect of complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (*Recognition of Forest Rights*) Act, 2006, if any, on the forest land proposed to be diverted along with documentary evidence stipulated by the Ministry in its letter No. 11-09/1998-FC (pt) dated 3rd August, 2009, 5th February, 2013, and 5th July, 2013, as applicable to this project, be submitted.

The use of forest land will not be allowed till final approval is accorded.

(II) To be complied with after Stage II approved is accorded

(These Conditions shall also be Imposed at the time of according Stag-II Approval)

(1) General

1. Legal status of the forest land will remain unchanged;
2. The forest land will not be used for any other purpose than that mentioned in the proposal;
3. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department, or person without approval of the competent authority.
4. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
5. No damage will be done to the adjoining forest land;
6. No labour camp shall be established on the forest land;
7. Compensatory afforestation will be done within one year from the date of issue of final approval over the extent of land as approved, out of the funds provided by the user agency;
8. The user agency shall carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down and should be taken up as per the scheme approved by the Forest Department
9. As recommended by the Geologist and Task Force, the required soil conservation measures should be taken up by the user agency for which fund should be provided as per the current rate of works;
10. The User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;

11. The boundary of the forest land being diverted shall be demarcated on ground at the project cost, using four feet high RCC pillars, each pillar inscribed with the serial number, DGPS coordinates, forward and backward bearings and distance from pillar to pillar *etc.*;
12. The User Agency shall ensure that because of this project, no damage is caused to the flora and the wildlife available in the area;
13. The user agency will assist the State Government in conservation and preservation of flora and fauna of the area in accordance with the plan prepared by the Chief Wildlife Warden of the State.
14. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna: whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
15. Any other condition that this Regional Office may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
16. The User agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly; and
17. It will be the responsibility of the State Government/User Agency to obtain all other prior approvals/clearances under all other relevant Acts/Rules/Court's Rulings/instructions, etc., including environmental clearance, as applicable to this proposal.
18. The Regional Office may revoke/suspend the clearance, if implementation of any of the above conditions is not satisfactory. State Government will ensure compliance of these conditions through forest department.

(ii) Specific Conditions

(A) Roads

- i. User agency shall endeavour to avoid felling of trees existing on the forest land proposed to be utilized. If unavoidable, in any cases not more than.....trees andplants will be removed;
- ii. The trees should be felled under strict supervision of the State Forest Department;
- iii. The User agency shall consult organization(s) having experience in construction of roads in hilly areas to avoid frequent road blockade due to landslides, etc., and shall provide breast walls and retaining walls wherever necessary.
- iv. The user agency shall raise strip plantation on both sides and central verge of the road at the project cost as per IRC specifications with maintenance of seven to ten years. User agency shall also submit design of providing at least two to three rows of long rotation indigenous trees, as per provisions of IRC-SP -21-2009 (*guidelines on landscaping and tree plantations*) on either side of road before final clearance;
- v. The User Agency shall not collect any toll from the vehicles carrying forest officers on duty;
- vi. A study may be commissioned by the Government to assess the impact of tree felling along the roads including resultant impact of winds and storms due to likely loss of shelter belt.

(B) Retail Outlet

- i. Guidelines issued by the Ministry of Environment and Forests, Government of India dated 15th July 2004 shall be strictly adhered to;
- ii. Light crown trees may be planted on the entire periphery of the petrol pump at a distance of 1.5 meter from the wall and the distance between two trees will be 1.00 to 1.5 meter;

- iii. This permission is valid for 15 years i.e. upto 19th December, 2028 and thereafter a fresh permission for the use of said forest land will be taken from Government of India;

(C) Transmission Line

- i. The maximum width of “Right of Way” for the proposed transmission line on the forest land shall be not more thanmetres;
- ii. Below each conductor, width clearance of 3.00 metres would be permitted for taking the tension stringing equipment. The trees on such strips would have to be felled but after stringing work is complete, the natural regeneration will be allowed to come up. Felling/pollarding/ pruning of trees will be done with the permission of the local forest officers, whenever necessary, to maintain the electric clearance. One outer strip shall be left clear to permit maintenance of the transmission line;
- iii. The minimum clearance between conductors and trees shall be maintained 4.6 meters for preventing electric hazards; The sag and swing of the conductors are to be kept in view while working out the minimum clearance maintained as above
- iv. The user agency shall install circuit breakers at suitable places besides maintain necessary ground clearance to prevent electrocution of wild animals;
- v. User agency in consultation with the State Forest Department, shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (*preferably medicinal plants*) in the right of way under the transmission line, and provide funds for execution of the said scheme to the State Forest Department;
- vi. In case the portion of the transmission line to be constructed is located in hilly areas, where adequate clearance is already available, trees shall not be cut;

(D) Hydro-electric Projects

- i. The entire reservoir created due to submergence shall be notified by the State Government as RF under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act. However, regulated fishing shall be allowed;
- ii. There shall be no tree felling between FRL (*Full Reservoir Level*) and four metres below FRL;
- iii. The user agency shall provide free water from the project for all forestry related activities;

(E) Mining

- i. The mining is open cast for extraction of slates. No blasting in the area shall be done and no damage will be caused to the adjoining forest area;
- ii. The conditions stipulated while giving approval under the Forest (Conservation) Act, 1980 for diversion/renewal of lease of forest land for mining purposes shall be monitored as per Para 4.16 (ii) & (iii) of the guidelines issued under Forest (Conservation) Act, 1980;
- iii. There will be regular monitoring by the Forest Department for compliance of conditions including the quantity extracted;
- iv. The operation of mine should be as per the approved mining plan and user agency shall submit annual self-compliance report to the authority concerned;
- v. Debris will be used locally behind retaining walls, depression/improvement of grades. It will in no way be thrown down the hill slopes/nallahs, etc, and shall be reclaimed;
- vi. Reclamation of mined area shall be done at the cost of user agency as per proposed scheme. Reclamation work will be taken up after the expiry of this extension or if possible, before that in part (s) of the area;
- vii. All the protection/precautionary measures for stability of the forest area be strictly adhered to;

- viii. Safety Zone Area Treatment Plan will be implemented as per the proposal;
- ix. Wherever possible and technically feasible, the User Agency shall undertake by involving local community, the afforestation measures in the blanks within the lease area, as well as along the roads outside the lease area diverted under the approval. In consultation with the State Forest Department at the project cost;
- x. The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, or Rules framed there under
- xi. User agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.40), if any, located in the area within 100 m. from outer perimeter of the mining lease;
- xii. The user agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer in the State Government and this Regional Office. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Regional Office may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed.
- xiii. The User Agency either himself or through the State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (*7.5 meter strip all along the outer boundary of the mining lease or mining cluster, as applicable, and such other areas as specified in the approved mining plan*) at the project cost;
- xiv. The User Agency either himself or through the State Forest Department shall undertake afforestation on degraded forest land, one and half time in extent to the area used for safety zone;
- xv. In case of underground mines, areas on surface shall be fenced and afforested from the funds to be provided by the user agency;
- xvi. The user Agency shall implement the R & R Plan as per the R &

R Policy of State Government in consonance with National R & R Policy, Government of India before the commencement of the project work and implementation. The said R & R Plan will be monitored by the State Government/Regional Office along with indicators for monitoring and expected observable milestones;

- xvii. The user agency shall undertake de-silting of the village tanks and other water bodies located within five km from the mine lease boundary so as to mitigate the impact of salutation of such tanks/water bodies, whenever required;
- xviii. The following activities shall also be undertaken by the User Agency at the project cost:-
 - a. Preparation and implementation of a plan containing appropriate imitative measures to minimize soil erosion and choking of streams;
 - b. Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;
 - c. Construction of check dams, retention/toe walls along the contour to arrest sliding down of the excavated material;
 - d. Stabilize the overburden dumps by appropriate grading/benching so as to ensure that that angles of repose at any given place is less than 280; and
 - e. Strict adherence to the prescribed top soil management