

Sub: - Proposal of Diversion of 238 hectares for Relocation of the Forest Village Laika in Dibru-Saikhowa National Park, Tinsukia (online proposal No-FP/AS/REHAB/120428/2021)-Reg

The Government of Assam vide letter no. FRS.4/2021/26 dt 27.01.2021 has submitted the above-mentioned subject proposal FP/AS/REHAB/120428/2021 dated 27.01.2021 to obtain prior approval of the Central Government, as per the provisions contained in Section-2 of the Forest (Conservation) Act, 1980 for the above mention subject. Details of proposal may be accessed on PARIVESH portal and the online no. of the proposal is **FP/AS/REHAB/120428/2021**.

2. Preliminary scrutiny of the said proposal Ministry observed certain shortcomings which was communicated to the State Govt. vide this Ministry's letter dt 03.02.2021

3. Further the Ministry vide its letter dated 03.02.2021 Requested the IRO, Guwahati to carry out a site inspection of the proposed area for diversion and submit the report.

4. Details indicated in the proposal submitted by the Government of Assam dated 27.01.2021 are as below:

Factsheet

1.	Name of the Proposal	Proposal of Diversion of 238 hectare for Relocation of the Forest Village Laika In Dibru-Saikhowa National Park, Tinsukia (online proposal No-FP/AS/REHAB/120428/2021).
2.	Location:	Assam
(i)	State	Assam
(ii)	District	Tinsukia
(iii)	Category	Rehabilitation
(iv)	Total period for which the forest land is proposed to be diverted (in year).	99
3.	Detail of user agency	Tinsukia Wildlife Division Borguri Tinsukia
(i)	Name of the user agency	Tinsukia Wildlife Division
(ii)	Nature of user agency	Tinsukia Wildlife Division, State Government
4.	Particular of Forests	
(i)	Name of Forest Division	Digboi
(ii)	Area of Forest land for Diversion	238 Ha.
(iii)	Legal Status of Forest land	Reserved Forest= 238 Ha.
(iv)	Density of Vegetation	Area = 238 Ha. Density = 0.1 Eco class = Eco 1
5.	Maps	
	i. Differential GPS map of the area proposed for diversion	Given
	ii. Differential GPS map of the area identified for raising CA	Not Applicable
	iii. Survey of India toposheet on 1:50,000 scale showing the area proposed for diversion	Given

	iv. Survey of India toposheet on 1:50,000 scale showing the area identified for CA	Not Applicable
	v. Land use plan	Not Given
	vi. Forest Cover map	Not Given
6.	Vegetation	
	i. Species-wise and diameter class wise enumeration of trees.	Miscellaneous Species – Belkhor,Siris,Semul,Owtenga-diameter class wise enumeration of trees are uploaded in Parivesh portal.
	ii. Density	0.1
	iii. Number of trees to be felled	635 Trees
	iv. Working plan prescription for the forest land proposed for diversion.	No prescription for Paharpur and JFMC working circle for Namphai.
7.	Vulnerability of area to soil erosion	Paharpur area is slightly hilly and there is no chance of erosion. Namphai area lying adjacent to Namchek river might have some level of erosion.
8.	Details of wildlife present in and around the forest land proposed for diversion;	Elephants move through this area
9.	Approximate distance of proposed site for diversion from boundary of forest.	-0-
10.	Whether any national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc., is located within 1 Km. from boundary of the forest land proposed for diversion	-Yes-
11.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	-Yes-
12.	Details of any protected archaeological/heritage site/defence establishment or any other important monument located in the area, if any	-No-

13.	Whether the forest land proposed for diversion is located within eco-sensitive zone (ESZ) of the protected Area notified under Wildlife (Protection) Act, 1972 (Note: In case, ESZ of a Protected Area is not notified, then, 10kms distance from boundary of the Protected Area should be treated as ESZ):	-No-
14.	Whether any national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc., is located within 1 Km. from boundary of the forest land proposed for diversion;	-Yes- Details and comments on the impact of Project on such areas : Elephants move through this areas and there could some man animal conflict in namphai -
15.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project. If no, recommended area item-wise with details of alternatives examined.	-Yes-
16.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still under progress.	-No-
17.	Details of Compensatory Afforestation Scheme:	-Not applicable-
	i. Details of non-forest area/ degraded forest area identified for compensatory Afforestation, its distance from adjoining forest, number of patches, size of each patch.	
	ii. Map showing non-forest/ degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	
	iii. Detailed compensatory Afforestation scheme including species to be planted, implementing Agency, time schedule, cost structure etc.	
	iv. Total financial outlay for compensatory Afforestation scheme.	

	v. Certificate from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view. To be signed by the concerned Deputy Conservatory of Forests.	
18.	Documentary evidence in support of settlement of rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 on the forest land proposed to be diverted enclosed.	-Not given-
19.	Site Inspection Report of the Divisional Forest Officer	The Site Inspection Report carried out by the DFO/CCF/Nodal Officer highlighting important facts pertaining to the forest land, copy of the same may be uploaded on Parivesh.
20.	Whether the project requires environment clearance.	-Not Given-
21.	Status of Wildlife clearance.	-Not Given-
22.	Catchment Area Treatment Plan.	-Not Given-
23.	Rehabilitation of Oustee	-Not Given-
	Number of SC Families	
	Number of ST families	
	Number of Backward Families	
	Copies of R&R Plan	
24.	Cost Benefit Analysis	-No-
25.	Total Cost of the project	Rupees 1000 Lakh
26.	Employment Potential	-No-
27.	Undertakings to bear the cost of CA and NPV	Not applicable
28.	Profile of the District /Division.	Tinsukia
	Geographical Area of the Dist. (in Ha.)	379000
	Total Forest Area	158257
	Total area diverted since 1980	Area- 164.89 ha. Number of case - 56
	Forest Land including penal C.A. (in ha.)	330
	Progress of compensatory afforestation as on(date)	25/01/2021
29.	Recommendation with Specific conditions, (if any)	
	DFO	Recommended. (The area is degraded and encroached and rehabilitation to this area will improve the habitat in Dibru Saikhowa National Park)

CCF	Recommended. (The area is degraded and encroached and settlement into this area will not lead to major loss of biodiversity and will in turn help in improvement of habitat in Dibru Saikhowa National Park)
PCCF/ Nodal Officer (FCA)	Recommended.
State Govt.	Recommended.

5. The Government of Assam vide their letter No.FG-27/FCA/Relocation of Forest Village Digboi dated 12.02.2021 has forwarded the additional information in response to this Ministry letter dated 03.02.2021.

Sl. No.	Ministry's observation	Reply of State Govt.
1.	The State Govt. is requested to upload/forward the KML file of Laika Forest village, which is being relocated from Dibru-Saikhowa National Park.	The KML file of Laika Forest village has been uploaded by the user agency.
2.	Agriculture land and small construction is visible in different parts of the proposed forest land. In the site inspection report of the DFO, it is mentioned that the area proposed for diversion has encroachments. In this regard the State Govt. is requested to provide its comments/justification.	Agriculture land and small construction which are mentioned in the inspection report and are visible, are the existing sporadic agriculture small patches being practiced by the neighboring villages and the constructions are the temporary sheds of the cultivators constructed for protection of the agricultural crops which may be cleared during rehabilitation.
3.	The State Govt. is requested to submit the approved Rehabilitation & Resettlement plan.	It was informed that the Rehabilitation and Resettlement Plan has been submitted for approval and will be submitted separately.
4.	As per Form A Part-II in Parivesh Portal, point 8 wrt Significance of the forest land proposed for diversion from wildlife point of view it has been mentioned that:-	
(a)	Elephants move through this area.	Namphal Reserve Forest is located adjacent to Tinkopani Reserved Forest and Elephant reside in Tinkopani Reserved Forest. Sometimes elephant move to Namphal Reserved Forest to raid crops cultivated by the encroachers. No Elephant movement has been observed in recent time in Paharpura area.
(b)	The area proposed for diversion is a part of national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc.,	The proposed area is part of Dehing Patkai Elephant Reserve Which was notified by the State Government vide notification No. FRW-44/2002/67 dated 17.04.2003. Also in this regard it is to be mentioned that all reserved Forest under Digboi Division are part of Dehing Patkai Elephant Reserve.
(c)	The area proposed for diversion is located within 1 Km. from boundary of File No.8-01/2021-FC national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc.,	The proposed area is part of Dehing Patkai Elephant Reserve Which was notified by the State Government vide notification No. FRW-44/2002/67 dated 17.04.2003. Also in this regard it is to be mentioned that all reserved Forest under Digboi Division are part of Dehing Patkai Elephant Reserve.

(d)	It is mentioned that Elephants move through this areas and there could some man animal conflict in namphai.	Namphai Reserve is located adjacent to Tinkopani Reserved Forest and Elephant reside in Tinkopani Reserved Forest. Sometimes elephant move to Namphai Reserved Forest to raid crops cultivated by the encroachers. Elephant proof trenches have already been made to minimize any chance of man animal conflict. Further, in last five years there are no incidence of any man animal conflict involving illegal encroachers settled there. Also additional steps like expansion of elephant proof trenches, bio fencing etc. Can be done to address the issue. No man animal conflict is expected in Paharpur area as elephant movement is rare.
(e)	It is also mentioned that rare/endangered/unique species of flora and fauna found in the area. But the details of the same is not provided.	There are rare/endangered/unique species of flora like Hollong, Mekai, Nahar, Bhumura, Hilikha etc. and fauna like leopard, Elephant, Deer Porcupina, Holloock Gibbon, Slow Loris etc. found in the forest areas of Digboi Forest Division surrounding the proposed area. But the portion of the degraded forest area in Namphai and Pharpur Reserve Forest which have been selected for the relocation/settlement of Laika village is devoid of endangered flora and fauna.
(v)	The State government is also requested to forward the comments of Chief Wildlife warden.	The comments/views from the Chief Wildlife Warden, Assam vide letter dt WL/FG.35/Relocation of Forest Village Dt 15.02.2021 is enclosed herewithin. The copy of the same can be seen at Pg. No. /ToC.

6. The Integrated Regional office, Guwahati vide letter dt. 10.02.2021 has forwarded the Site inspection. It was informed that the site inspection of this instant proposal was conducted by Inspector General of Forest(C) and Research Officer of this Integrated Regional office, Guwahati during 09.02.2021 and 10.02.2021
7. Recommendation of Regional Officer, Integrated Regional Office, Guwahati is given below:
- As informed by DFO(WL) Tinsukia Division, the number of families to be relocated in Paharpur RF is 378 nos and in Namphai RF is 160 families. A perennial river name Namchik River is adjacent to the proposed Namphai RF.
The proposal is recommended for consideration by the FAC subject to the following:
 - (i) The State Govt should ensure that the land for resettlement is free from any dispute.
 - (ii) The proposed area is declared as part of Elephant Reserve by Assam Govt. Gazette Extraordinary notification dated 17.04.2003, therefore comment of CWLW is necessary regarding the proposed area.
 - The Revenue Department has submitted a certificate mentioning that presently no available Revenue land to the tune of 238 ha for settlement of 543 families (2843 population) of Laika Forest Village of Dibru Saikhowa National Park in Tinsukia District.
8. DSS report:- The copy of the DSS report can be seen at Pg. No./ToC
- i. Proposed forest land for relocation falls under Tinsukia district of Assam State and its calculated area is found 238.02 ha.
 - ii. Proposed area for relocation is falling outside the 10km default eco-sensitive zone of the Dibru-Saikhowa National Park.
 - iii. Proposed area is falling in High Conservation Value (HCV) zone as per Decision Rule 1 (falling within 250m buffer of river) and Not in High Conservation Value(HCV) zone based on Decision rule 2.

- iv. Out of total forest area proposed for relocation, 13 ha moderately dense forest, 144 ha is classified as open forest, 2 ha. as water and 78 ha. of land as Non-Forest (land without tree cover) in terms of forest classes (as per the ISFR 2019) based on the interpretation of satellite data period 2017-2018.
- v. Agriculture land and small construction is visible in differnt parts of the proposed forest land.
- vi. Proposed forest land for relocation falls under Tinsukia district of Assam State and its calculated area is found 238.02 ha.
- vii. Proposed area for relocation falls outside the eco-sensitive zone of the Dibru-Saikhowa National Park. Agriculture land and small constructions is visible in different parts of the proposed forest land.
- viii. The software calculated area of the Laika Forest village is found 1345.84 ha.

9. Observations:-

- i. The State Govt. has not submitted the approved R&R Plan.
- ii. The KML file forwarded has not been uploaded in PARIVESH portal.

It is proposed that the facts of the above proposal along with the Site Inspection Report, IRO Guwahati may be placed before the Forest Advisory Committee meeting scheduled to be held on 17.02.2021 as **additional agenda** for their examination and appropriate recommendations.
