



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय
INTEGRATED REGIONAL OFFICE
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
लॉड सीब लुम्बतंगेन/LAW-U-SIB, LUMBATNGEN,
शिलांग/SHILLONG-793021
TEL. 0364-2537278; FAX. 0364-2536041
E-mail: moefro.shillong@gov.in



No. 3-MG B 042/2020-SHI/ 3410-11

31st March, 2022

सेवा में,

अपर मुख्य सचिव/Additional Chief Secretary,
मेघालय सरकार / Govt of Meghalaya,
वन और पर्यावरण विभाग / Forests & Environment Department,
शिलांग / Shillong.

Sub : Proposal for diversion of 4.85 ha of forest land for construction of Loop-In Section of the 132 KV MLHEP- Khliehriat line at Mynkre by Meghalaya Power Transmission Corporation Limited (MePTCL) .

Sir,

This has got reference to the State Government of Meghalaya letter No. FOR.25/2020/185 dated 8th September, 2021 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

2. After careful examination of the proposal of the State Government of Meghalay and the additional information submitted vide their letter No.MFG.22/488/7531 dated 29.09.2021 and even no dated 02.03.2022, the **In-principle / Stage-I approval** of the Central Government is hereby granted for diversion Proposal for diversion of 4.85 ha of forest land for construction of Loop-In Section of the 132 KV MLHEP- Khliehriat Line at Mynkre by Meghalaya Power Transmission Corporation Limited (MePTCL) subject to the following conditions:

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

1. The user agency shall transfer, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28/03/2008, 24/04/2008 and 09/05/2008 in Writ petition (Civil) No. 202/1995 and as per the guidelines issued by the Ministry vide letter No 5-3/2011-FC(Vol-I) dated 06.01.2022 and 19.01.2022. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned;
2. The user agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
3. The user agency shall transfer the cost of raising dwarf plantation with the State Forest Department in the account of CAMPA;
4. 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 pillar to pillar and GPS co-ordinates;

01c

5. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA account only through e-portal(<https://parivesh.nic.in>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;
6. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
7. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;
8. 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;
9. The KML files of the area to be diverted and the CA area shall be uploaded on the e-Green watch portal with all requisite details before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be;
10. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);

B: Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

1. Legal status of the diverted forest land shall remain unchanged;
2. Compensatory Afforestation shall be raised over 9.7 ha of degraded forest and identified at Compartment No. 10A, Saipung Reserve Forests, Jaintia Hills Territorial Division, East Jaintia Hills;
3. All other clearances / NOCs under different rules / regulations / local laws and under Forest Dwellers (Recognition of Forest Rights) Act, 2006 as required vide MoEF, New Delhi guideline No. 11-9/98-FC(Pt) dated 05.02.2013 shall be complied with;
4. The User Agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits;
5. The User Agency shall comply with the guidelines for laying transmission through forest areas issued by Ministry vide letter no. 7-25/2012-FC dated 05/05/2014 & 19/11/2014;
6. The User Agency shall obtain the Environmental Clearance under Environment (Protection) Act, 1986, if applicable;
7. The layout of the proposal shall not be changed without the prior approval of the Central Government;
8. No labour camps shall be established on the forest land;
9. Sufficient firewood, preferably the alternative fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternative fuel;

10. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;
11. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
12. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
13. The forest land shall not be used for any purpose other than that specified in the project proposal.
14. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project;
15. The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for removal, if any, of stone, river sand, river boulders in forest land;
16. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;

This is issued with approval of Deputy Director General of Forests (C).

3. After receipt of the compliance report from the State Government on fulfilment of the conditions mentioned above, final approval will be issued in this regard. Formal transfer of forest land shall not be effected by the State Govt till final approval is granted by the Central Government.

भवदीय,


(W. I. Yatbon) 21/01/22
उप वन महानिरीक्षक (केंद्रीय)

Deputy Inspector General of Forests (C)

Copy to:

1. The Principal Chief Conservator of Forests & HoFF, Govt of Meghalaya, Department of Forests & Environment, Sylvan House, Lower Lachumiere, Shillong- 793001.


उप वन महानिरीक्षक (केंद्रीय)

Deputy Inspector General of Forests (C)

o/c