



भारत सरकार
GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय
INTEGRATED REGIONAL OFFICE
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
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No. 3-TR C 057/2021-SHI/ 1997-98

30th November, 2021

सेवा मे,

सचिव/Secretary,
त्रिपुरा सरकार/ Government of Tripura
पर्यावरण और वन विभाग /Department of Environment & Forests,
कुंजावन, अगरतला/ Kunjaban, Agartala.

Sub: Proposal for diversion of 82.6044 Ha of Forest Land for widening / improvement of Lalcherra-Kanchanpur section road of NH-44A to two laning with paved shoulders under Dhalai, Unakoti & North District by NHIDCL.

Sir,

This has got reference to the State Government of Tripura letter F.6-1311/FC/For-2021/625-31 dated 04.09.2021 and even No.940-45 Dated 08.11.2021 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 Tripura and recommendation of REC held on 15.11.2021, the **In-principle / Stage-I approval** of the Central Government is hereby granted for diversion of **82.6044 Ha** of Forest Land for widening / improvement of Lalcherra-Kanchanpur section road of NH-44A to two laning with paved shoulders under Dhalai, Unakoti & North District by NHIDCL, 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 letters No 5-3/2007-FC dated 05.02.2009. 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;

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3. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
4. The user agency shall transfer the cost of raising Avenue plantation on the road side with the State Forest Department in the account of CAMPA of the concerned State through online portal;
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 User Agency shall contribute Rs.15.00 Lakhs for one patrolling vehicle at Manu Sub-Forest Division;
7. The user agency shall contribute Rs. 50.00 lakhs for development of Eco-Tourism site at Sanandapata in terms of livelihood to the communities dependent upon the forests in North District;
8. The user agency shall contribute Rs. 12.00 lakhs for one Forest Guard Barrack for protection and Rs. 15.00 lakhs Patrolling vehicle in Unakoti District;
9. The user agency shall contribute towards repair/ reconstruction of affected structures Rs.7.00 lakhs for the repair of one VTC Hall under Gunamanipara JFMC-JICA-1 affected by the project in Unakoti District and Rs.43.51 lakhs for re-construction of various permanent asset like FPU Complex & Park etc. lost due to road alignment in North District;
10. Chain link fencing will be made only where absolute required as per requirement to be assessed afresh by Forest Department and necessary fund will be provided by the user agency;
11. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;
12. 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 and amount to be deposited with the State Forest Department;
13. 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;
14. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
15. 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:

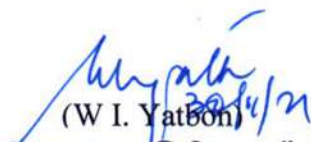
1. Legal status of the diverted forest land shall remain unchanged;
2. Compensatory Afforestation shall be raised over double the degraded forest area of over double the area diverted in degraded forest land identified over **165.208 ha** in Compartment No.1 & 14, Manu-Chailengta RF, Chawmanu, Gandachera Range, in Manu Gomati WLS, Dhalai;
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. **User agency may raise strip plantation on both sides of the road as per the IRC norms;**
5. **Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas;**
6. **The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendation of CWLW / NBWL / FAC / REC, if applicable;**
7. The User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable;
8. The layout plan of the proposal shall not be changed without prior approval of Central Government;
9. No labour camp shall be established on the forest land;
10. Sufficient firewood, preferably the alternate 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 alternate fuel;
11. The demarcation of forest land proposed for diversion shall be done on the ground at project cost using four feet high reinforced cement concrete pillars with serial numbers, forward and backward bearings and distance from pillar to pillar super scribed on the pillars as per the directions of the concerned Divisional Forest Officer;
12. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
13. 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;
14. The forest land shall not be used for any purpose other than that specified in the project proposal;
15. 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;
16. The overburden shall not be dumped outside the diverted land. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes;
17. The State Govt shall ensure that the user agency provide proper drainage, retaining wall and stabilization of side slope to avoid soil erosion and landslides as the proposed area is having varied slope and highly vulnerable for landslide and soil erosion;



18. To replace wherever possible the uprooted trees along the road side after the diversion as avenue plantation;
19. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF & CC Guideline F. No. 11-42/2017-FC dated 29/01/2018;
20. 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;
21. Any other condition that the MoEF & CC, Integrated Regional Office, Shillong may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife;
22. This approval may be revoked, if, the above conditions of approval is not complied to the satisfaction of the Integrated Regional Office, Shillong;
23. Any other conditions as may be found appropriate in future for the betterment of environment & wildlife, may be imposed by Integrated Regional Office, Shillong;

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)
उप वन महानिरीक्षक (केंद्रीय)/

Deputy Inspector General of Forests (C)

Copy to:

1. प्रधान मुख्य वन संरक्षक, त्रिपुरा सरकार , पर्यावरण और वन विभाग , कुंजावन, अगरतला /
Principal Chief Conservator of Forests, Govt. of Tripura, Department of Environment &
Forests, Kunjaban, Agartala.


उप वन महानिरीक्षक (केंद्रीय)/
Deputy Inspector General of Forests (C)

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