



# ASSAM POWER GENERATION CORPORATION LIMITED

Registered Office: Bijulee Bhawan, 2<sup>nd</sup> floor, Paltan-bazar, Guwahati-781 001, Assam

**Mr. Ratnajit Biswanath**

**Chief General Manager (Hydro & Civil)**

Phone-0361-2739522

E-mail: [cgmh2010@yahoo.in](mailto:cgmh2010@yahoo.in)

No: APGCL/CGM(H)/W/2015/569/Vol-I/ 153

Dated: 31/07/2019

To

1. The Divisional Forest Officer,  
Dima Hasao West Division, Halflong.
2. The Divisional Forest Officer  
Hamren Division, Hamren

Sub: Compliance Report for Lower Kopili Hydro Electric Project (120 MW) for Stage II forest clearance.

- Ref: 1. Moef&CC (FC Division) letter No F.No. 8-53/2018-FC dated 5<sup>th</sup> February, 2019.  
2. Nodal Officer's Letter No FG.27/Nodal/ Lower Kopili Hydro Electric Project dated 6/4/19

Sir,

With reference to the subject matter and letters cited above, enclosed please find herewith the compliance report of APGCL along with the undertaking for your kind information and further necessary action please.

Enclo: As above

Yours faithfully,

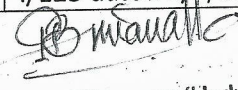
Chief General Manager (Hydro & Civil)

Copy to:

- 1) The Nodal Officer (FC Act), Department of Environment, Forest and Climate Change, Govt. of Assam, Panjabari, Guwahati – 37, for kind information.
- 2) The Managing Director, APGCL, Bijulee Bhawan, Paltan Bazar, Guwahati – 781001, for kind information.
- 3) Relevant File.

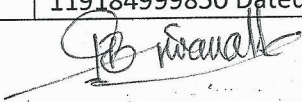
## Compliance Report on Stage 1 clearance conditions

Stipulations as mentioned in the "In Principal" Approval for Stage I vide letter No. MoEF&CC (FC Division) letter No F.No. 8-53/2018-FC dated 5 <sup>th</sup> February, 2019.	Remarks
(i) Legal status of the diverted forest land shall remain unchanged;	Agreed
(ii) Compensatory Afforestation shall be raised over equal identified non-forest land (NFL) land within three years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency. At least 1000 saplings per hectares shall be planted over 523.046 ha (523046 plants). If this is not possible to plant these many seedlings in the identified NFL, the balance seedlings will be planted in degraded forest land as per the prescriptions of the Working Plan at the cost of the User agency. In such case CA cost will be revised and duly approved by competent authority and deposited online in the CAF managed by CAMPA;	Compensatory Afforestation cost deposited in CAMPA after getting Demand Note for Soil and Moisture Conservation Plan from respective divisions. CA is proposed to be done in the identified NFL by the Forest Department of the respective divisions. Amount for CA deposited Karbi Anglong Rs. 1,45,84,098.00 Dima Hasao Rs. 14,48,39,752.00 Total Rs. 15,94,23,850.00 in the CAMPA account vide NEFT UTR No. SBIN 119184999850 Dated: 03.07.2019
(iii) 25% of the CA cost additionally will be spent towards Soil and Moisture Conservation activities in the proposed CA area as per site requirement and deposited in CAMPA Account;	APGCL after receipt of Demand Notes from respective Divisions, deposited the same to the CAMPA account. For Karbi Anglong Rs. 36,46,025.00 and for Dima Hasao Rs. 3,62,09,938.00, Total Rs. 3,98,55,963.00 deposited in the CAMPA account vide NEFT UTR No. SBIN 119184999850 Dated: 03.07.2019
(iv) Since muck disposal has not been permitted within the proposed diverted forest area, 22 ha forest land shall be added to the already identified Green Belt within the proposed forest area for diversion. All other items will remain same as submitted earlier. Thus, 198.746 ha out of proposed diversion of 523.046 ha of forest land shall be maintained as Green Belt;	Agreed. Necessary modification has been done and incorporated in the modified DPR (March, 2019) submitted to the Regional Office, MoEF&CC. Green Belt area of 198.746 ha will be maintained after shifting 22 ha muck disposal area from Forest area.
(v) User agency shall modify the DPR accordingly and its authenticated copy of the same shall be submitted to the Regional Office, MoEF &CC, Shillong and this Ministry prior to Stage-II approval;	APGCL has modified the DPR and submitted to RO, MoEF&CC vide its letter No. APGCL/CGM(H)/W/2015/569/Vol I/125 dated 1/4/2019.

  
 Chief General Manager (Hydro & Civil)  
 APGCL, Bijulee Bhawan,  
 Paltanbazar, Guwahati-1

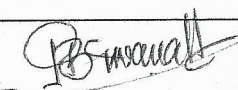


(vi) The user agency shall submit Landuse Plan and landsue map before Stage-II approval;	Already incorporated in the revised DPR, March, 2019 and submitted to RO, MoEF&CC.
(vii) The land identified for the purpose of CA shall be clearly depicted in a Survey of India Topo-sheet of 1:50,000 The admissible scale;	Already done.
(viii) Non-forest land shall be identified for raising compensatory afforestation and the same shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance. The non-forest land identified for raising Compensatory Afforestation shall be notified by the state Government as RF under Section-4 or PF under Section-20 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act, as the case may be, within a period of six months;	APGCL has already requested Revenue authorities of District Council of Karbi Anglong and Dima Hasao for transfer and mutation of NFL to Forest Land vide letter No. APGCL/CGMH/W-2015/569/Vol.1/127 dated 7/5/2019 for Dima Hasao and vide letter No. APGCL/CGM(H)/W/2015/569/Vol-I/128, Dated 07/05/2019 for Karbi Anglong.
(ix) 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 Ad-hoc CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works schedule for subsequent years;	Demand Notes received from the respective divisions. APGCL deposited the amount for CA along with the cost for NPV, SMC Plan and CAT Plan to CAMPA account.
(x) The User Agency shall transfer online, 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 the guidelines issued by this Ministry vide its letter No.5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned;	Demand Notes received from the respective divisions. APGCL deposited the amount for NPV along with the cost for CA, SMC Plan and CAT Plan to CAMPA account. NPV for Karbi Anglong Rs. 4,25,17,920.00 and for Dima Hasao Rs. 44,86,22,274.00, Total Rs. 49,11,40,194.00 deposited in the CAMPA account vide NEFT UTR No. SBIN 119184999850 Dated: 03.07.2019
(xi) 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;	Agreed.
(xii) The approval Catchment Area Treatment (CAT) Plan shall be implemented at the cost of the user agency and commensurate funds shall be deposited in the account of CAMPA through on-line portal;	After receipt of Demand Notes from Forest Department. APGCL transferred the amount of Rs 28,29,67,000.00 to the CAMPA account vide NEFT UTR No. SBIN 119184999850 Dated: 03.07.2019

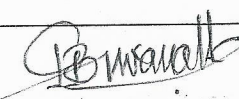
  
 Chief General Manager (Hydro & Civil)  
 APGCL, Bijulee Bhawan,  
 Paltanbazar, Guwahati-1



(xiii) User Agency shall ensure that the Compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;	Agreed
(xiv) The Forest clearance will be for a period co terminus with the lease period specified in the lease agreement. The State Government will submit the lease agreement document specified in the lease agreement;	Agreed
(xv) The State Government shall 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 to be diverted and submit the documentary evidence as prescribed by this Ministry in the letter No. 11-9/1998-FC (pt.) dated 03.08.2009 read with 05.07.2013, in support thereof;	NOC Received from respective Councils (Karbi Anglong and Dima Hasao) Copy enclosed.
(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. The said R&R plan will be monitored by the State Government/Regional Office of MoFF & CC along with indicators for monitoring and expected observable milestones;	Agreed. R&R Plan has already been approved by the Ministry of Tribal Affairs, Govt. of India.
(xvii) The User Agency shall obtain the environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required;	MoEF&CC has recommended the project for Environment Clearance. After Stage I Forest Clearance, MoEF&CC will give the Environment Clearance. Formal request from APGCL has already been made in this regard. Additional information as sought by MoEF&CC have been furnished to the Ministry vide letter No. APGCL/CGM(H)/W/2007/140/Pt-VII/02 Dated 26/03/2019
(xviii) The user agency shall carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down.	Agreed
(xix) The dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department. Retaining walls and terracing shall be carried out to hold the dumping material in place. Stabilization and reclamation of such dumping sites shall be completed before handing-over the same to the State Department in a time bound manner as per Plan.	Agreed

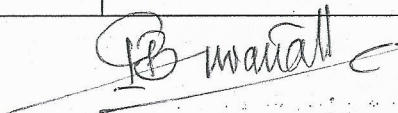
  
 Chief General Manager (Hydro & Civil)  
 APGCL, Bijulee Bhawan,  
 Paltanbazar, Guwahati-1

(xx) The State Government and the user agency shall ensure that the tress available between full reservoir level (FRL) and FRL-4 meters are not felled;	Agreed
(xxi) The User agency shall undertake afforestation along the periphery of the reservoir;	Agreed
(xxii) User agency shall provide free water for the forestry related projects;	Agreed
(xxiii) No labour camp shall be established on the forest land and the User Agency shall provide fuels 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;	Agreed
(xxiv) The boundary of the diverted forest land, mining lease and safety zone, as applicable, 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;	After getting the Demand Notes from 2 divisions for construction and erection of reinforced cement concrete pillars for the boundary of diverted forest land, APGCL has deposited the amount of Rs. 4,59,000.00 for Karbi Anglong vide NEFT/SK/AXSK 192060017686/375/DFO HAMREN/UNITED BANK Dated: 25.07.2019 and of Rs. 11,27,100.00 For Dima Hasao vide cheque No. 518452 of Axis bank Dated: 09.07.2019
(xxv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;	Agreed
(xxvi) The forest land proposed to be diverted shall under no circumstance be transferred to any other agency, department or person without prior approval of the Central Government;	Agreed
(xxvii) No damage to the flora and fauna of the adjoining area shall be caused;	Agreed
(xxviii) The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;	Agreed
(xxix) User agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities. The plan for plantation and SMC activities will be prepared and submitted to MoEF & CC before Stage-II Clearance;	APGCL will do the necessary plantation.
(xxx) The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly.	Agreed

  
 Chief General Manager (Hydro & Civil) 4  
 APGCL, Bijulee Bhawan,  
 Paltanbazar, Guwahati-1



(xxxi) Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forest & wildlife; and	Agreed
(xxxii) The user agency shall comply all the provisions of the all 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.	Agreed

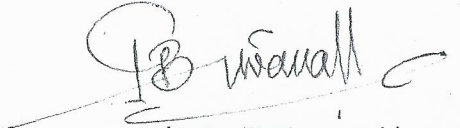
  
 Chief General Manager (Hydro & Civil)  
 APGCL, Bijulee Bhawan,  
 Paltanbazar, Guwahati-1



অসম অসম ASSAM

28AA 173268


I Ratnajit Biswanath, Chief General Manager (Hydro and Civil), APGCL hereby agree to comply all the points under the scope of APGCL given in the letter No. F. No.8-53/2018-FC dated: 05.02.2019 issued by the Assistant Inspector General of Forest, Ministry of Environment, Forest and Climate Change, Govt. of India addressed to the Principal Secretary (Forest), Govt. of Assam in connection with diversion of 523.046 Hectares of forest land for implementation of the 120 MW Lower Kopili H.E. project in the Dima Hasao and Karbi Anglong Districts of Assam..

  
(Ratnajit Biswanath)


Chief General Manager (Hydro and Civil)

APGCL, 2nd Floor, Bijulee Bhawan, Paltanbazar,

Guwahati-781001

  
(SAURAV SAIKIA)  
Signature, Name and address of 1st witness: (1)  
Asstt. General Manager (C)  
O/o the C.G.M. (H&C), APGCL  
Date: 31/07/2019 Bijulee Bhawan, Guwahati-1

Place: GUWAHATI

  
(CRIDIB BARUAH)  
Signature, Name and address of 2nd witness: (2)  
Asstt. General Manager  
O/o the CGM (Gen) APGCL  
Date: 31/07/2019 Bijulee Bhawan, Guwahati-1

Place: GUWAHATI