



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS
& CLIMATE CHANGE
NORTH EASTERN REGIONAL OFFICE
LAW-U-SIB, LUMBATNGEN
SHILLONG-793021
PHONE NO: 0364-2537609
FAX NO: 0364-2536041
GRAM: PARYAVARAN, SHILLONG
EMAIL: moefshil_09@rediffmail.co

427
19.3.15

F.No. 3- AN B 023/2013-SH/ 3321-22

4th March, 2015

To

The Principal Chief Conservator of Forests-
-Cum Principal Secretary
Dept of Forests, Environment & Wildlife
Govt. of Arunachal Pradesh
Itanagar.

Sub : Proposal for diversion of 4.5 ha of forest land for improvement of Akajan - Likabali-
Bame Road from 65.00 km to 71.00 km by BRTF in West Siang District of Arunachal
Pradesh.

Sir,

This has got reference to the State Government's letter No FOR.3-106/CONS/2008/Pt-III/3320-24 Dated 19.08.2013 on the subject mentioned above, wherein prior approval of the Central Government for diversion of 4.5 ha of forest land for improvement of Akajan - Likabali- Bame Road from 65.00 km to 71.00 km by BRTF in West Siang District of Arunachal Pradesh, was sought in accordance with Section 2 of the FCA, 1980.

2. After careful consideration of the proposal of the State Government of Arunachal Pradesh, I am to inform that **In-principle approval** is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of **4.5 ha** of forest land for improvement of Akajan - Likabali- Bame Road from 65.00 km to 71.00 km by BRTF in West Siang District of Arunachal Pradesh, subject to the following conditions:

- (i) The User Agency shall transfer the cost of compensatory afforestation over equivalent area diverted i.e. 4.5 ha. in degraded Community forest land identified within 1000 ha. in Dabo-Yemsing Village Forest Reserve to the Adhoc CAMPA through State Forest Department.
- (ii) As per guidelines of MoEF (No. 8-84/2002-FC dt. 03.02.2004) the degraded Community Forest Land has to be mutated in favour of State Forest Department and shall be declared RF / PF under Section 4 or Section 29 of the Indian Forest Act, 1972. The Nodal Officer shall report compliance of the above prior to submission of compliance report to the in-principle approval.
- (iii) 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 back bearings and distance from pillar to pillar superscribed on the pillars.
- (iv) The State Government shall charge the Net Present Value of the forest area diverted under this proposal from the User Agency as per the Judgement of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by this Ministry vide letter No. 5-3/2007-FC dated 05.02.2009 in this regard.
- (v) At the time of payment of the Net Present Value (NPV), the User Agency shall furnish an undertaking to pay the additional amount of the Net Present Value (NPV), if increased in future, as per final decision of the same by the Hon'ble Supreme Court of India.



- (vi) All the funds received from the user agency under the project, except the funds realized for felling of trees and demarcation of proposed area to be diverted, shall be transferred to Compensatory Afforestation Fund Management and Planning Authority (CAMPA) in the concerned Saving Bank Account of Ad-hoc CAMPA in Corporation Bank, CGO Complex, Lodi Road, New Delhi -110003.

As per the Ad-hoc CAMPA letter No.13-20/2015-CAMPA dated 29th January, 2015, the charges for felling, logging and transportation of project affected trees and items of expenditure like boundary walls, stone pillars, demarcation charges should be deposited with the DFO concerned for utilization immediately following the diversion of forest land.

- (vii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- (viii) The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulders in forest land, if necessary.
- (ix) As per Ministry's letter No. 11-30/96-FC(Pt) dt. 14.9.2001, if the compliance of stipulated conditions is awaited from the State Govt for more than 5 (five) years, the in-principle approval would summarily be revoked considering that the user agency is no longer interested in the project.

3. After the receipt of the compliance report from the State Government on fulfillment of the conditions mentioned above, final/stage-II approval of the Central Government, in accordance with Section 2 of the Forest (Conservation) Act, 1980, will be considered. Till the receipt of the Final / Stage-II approval of the Central Government for diversion of the said forest land from this Ministry, transfer of the said forest land to the User Agency shall not be affected by the State Government.

This is issued with the approval of Addl. Principal Chief Conservator of Forests (C).

Yours faithfully,

(W.I. Yatbon)

Dy. Conservator of Forests (C)

Copy to :

1. The Chief Conservator of Forests & Nodal Officer (FCA), O/o PCCF, Department of Env. & Forests, Government of Arunachal Pradesh, Environment & Forests Department, Itanagar.

Dy. Conservator of Forests (C)



Deviastar
GM (Projects)
NHIDCL
Branch Office-Namsai
Arunachal Pradesh