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F. No. 8-89/2011-FC
Government of India
Ministry of Environment and Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex,
Lodhi Road, New Delhi - 110510
Dated: 3rd February, 2012

To

The Principal Secretary (Forests),
Government of Arunachal Pradesh,
Itanagar.

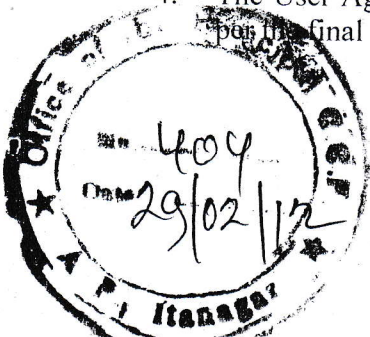
Sub: Diversion of 51.708 ha of forest land for construction of Joram-Koloriang Road from 20.00 to 51.00 km by BRTF in lower Subansiri District of Arunachal Pradesh.

Sir,

I am directed to refer to the State Government's letter no. FOR.3-122/CONS/2010/Pt-II/276-78 dated 28.07.2011 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under section-3 of the said Act.

After careful examination of the proposal of the State Government and on the basis of the recommendation of the Forest Advisory Committee, the Central Government hereby conveys the in-principle approval for diversion of 51.708 ha of forest land for construction of Joram-Koloriang Road from 20.00 to 51.00 km by BRTF in lower Subansiri District of Arunachal Pradesh subject to fulfillment of the following conditions:

1. Legal status of the forest land shall remain unchanged.
2. (i) The Compensatory Afforestation (CA) will be raised and maintained over double the area proposed for diversion in a degraded forest land (i.e. 103.416 ha) at the cost of User Agency.
(ii) The User Agency will submit the details of area identified for Compensatory Afforestation on SOI toposheet of 1:50,000 scale.
(iii) The User Agency shall transfer the cost (incorporating the current wage structure) of raising and maintaining Compensatory Afforestation to the Adhoc CAMPA through State Forest Department.
3. The State Government shall charge the Net Present Value of the forest area diverted under this proposal from the User Agency as per the Judgment 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.
4. The User Agency shall furnish an undertaking to pay the additional NPV, if so determined, as per final decision of Hon'ble Supreme Court of India.



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5. All the funds received from the User Agency under the project shall be transferred to Ad-hoc CAMPA in account number CA 1601 of Corporation Bank, Block-11, CGO Complex, Phase-1, Lodhi Road, New Delhi - 110 003.
6. The User agency will undertake comprehensive soil conservation measures at the project cost.
7. The muck generated in the earth cuttings will be disposed off at the designated dumping sites and in no case the muck / debris will be allowed to roll down the hill slopes. The muck disposal plan, prepared in consultation with the State Forest Department, will be submitted along with the compliance report.
8. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
9. Any tree felling shall be done only when it is unavoidable under strict supervision of the State Forest Department.
10. No labour camps shall be set up inside the forest area.
11. The user agency shall provide fuel wood preferably alternate fuel to the labourers working at the site to avoid damage / felling of trees.
12. No damage to the flora and fauna of the area shall be caused.
13. The user agency will assist the State Government in conservation and preservation of flora and fauna of the area in accordance with the plan prepared by the Chief Wildlife Warden of the State.
14. Wildlife Management Plan to address the requirement of the wildlife shall be prepared and implemented in consultation with State Forest Department at the cost of user Agency. If Hoolock Gibbon is found in the area, the possibility of providing arboreal tree connection across the road at important points shall be explored and included in the wildlife plan.
15. The user agency will undertake Environment Impact Assessment study if required under the relevant law.
16. The forest land shall not be used for any purpose other than that specified in the proposal.
17. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person.
18. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
19. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.
20. The user agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the Regional Office Shillong regularly.

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21. Any other condition that the State Govt. or the Chief Conservator of Forests (Central), Regional Office, Shillong may impose from time to time in the interest of conservation, protection and development of flora and fauna of the area.

After receipt of the compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.

Yours faithfully,

Shiv 3/2/12
(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Arunachal Pradesh for information.
2. The Nodal Officer (FCA), Office of the PCCF, Arunachal Pradesh for information.
3. The CCF (Central), Regional Office, Shillong.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF.
6. Guard File

(Shiv Pal Singh)

Sr. Assistant Inspector General of Forests