

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT AND FORESTS
ITANAGAR

Dated: 1st Sept, 2015.

No. FQR.3-167/CONS/2013/1201-06

To
The Commander,
HQ 48 BRTF,
C/o 99 APO,
PIN-930-048.

Sub: Proposal for diversion of 91.737 ha. forestland for improvement of Hayuliang-Hawai road from 0.00 km to 51.78 km by BRTF in Anjaw District of Arunachal Pradesh.

Sir,

In pursuant to the Ministry of Environment, Forests and Climate Change's letter No.11-246/2014-FC dtd 04/07/2014 and after careful consideration of the proposal, in-principle approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion of 91.737 ha. forestland for improvement of Hayuliang-Hawai road from 0.00 km to 51.78 km by BRTF in Anjaw District of Arunachal Pradesh, is hereby granted since the proposed road is within the 100 km of aerial distance from LAC as certified by the User Agency, subject to the following conditions:

1. The legal status of the forest land shall remain unchanged.
2. The User Agency shall transfer the cost of compensatory afforestation (CA) over equivalent area diverted i.e. 91.737 ha in degraded forest land identified at Dalai PRF under Hayuliang Forest Range in Anjaw FD.
3. The User Agency shall transfer the Net Present Value of the forest area proposed for diversion under this proposal as per the Judgement of the Hon'ble Supreme Court of India dtd 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 dtd 05/02/2009 in this regard.
4. All the above funds received from the User Agency under the project shall be transferred to the Ad-hoc CAMPA Fund (CAF) Corporation Bank, CGO Complex Branch, Lodhi Road, New Delhi-110003 (RTGS/IFSC Code No. CORP000371) for credit in Account No. CAF Arunachal Pradesh SB01025199 through RTGS. In case, Corporation Bank facility is not available, you may transfer the amount through RTGS in Union Bank of India, Sundarnagar Branch, New Delhi-110003 (RTGS/IFSC No. UBIN 0534498 & S.B.A/C No. 344902010105408).
5. The User Agency shall furnish an undertaking to pay the additional amount of the Net Present Value (NPV) of the diverted forest land, if any, becoming due after finalization/revision of the same by the Hon'ble Supreme Court of India.
6. The User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if required.
7. The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulders in forest land, if necessary.
8. As per Ministry's letter No.11-30/96-FC (Pt) dtd 14/09/2001, if the compliance of stipulated conditions is awaited 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.
9. This approval is being given under the general approval given by Ministry of Environment, Forests & Climate Change, Govt vide their letter No.11-246/2014-FC dtd 04/07/2014.
10. User Agency shall submit an undertaking that all feasible alternatives to minimize use of forest land were explored prior to submission of this proposal.
11. Forest land to be used for construction/widening of the roads shall be restricted to the bar minimum and shall be used only when it is unavoidable. The concerned Divisional Forest Office shall certify to this effect.
12. User Agency shall be responsible for any loss to the flora/fauna in the surroundings and therefore, shall take all possible measures to conserve the same.




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Arunachal Pradesh

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13. Permission accorded by the State Government shall be subject to the monitoring by the concerned Regional Office, MoEF & CC, GOI.
 14. User Agency shall submit the documents in support of the fact that the proposed road is strategically important and identified by competent authority of Ministry of defence and entrusted to BRO.
 15. Forest land utilized for construction or widening of the road shall not be used for any purpose other than that specified in this approval. Any change in the land use without prior permission of the Central Government shall amount to the violation of Forests (Conservation) Act, 1980. Request of such changes shall be made to the Regional Office by the Nodal Officer (Forest Conservation) of the State.
 16. State Forest Department/State Government or the concerned Regional Office may impose from time to time any other condition in the interest of conservation, protection and/or development of forests.

After receipt of the compliance report from the user agency on fulfillment of the conditions mentioned above, formal approval will be issued in this regard.

Yours faithfully,

Sd/-

(Dr. Shashi Kumar)

Principal Chief Conservator of Forests & Prl. Secy (E&F)
Itanagar

Copy to:

1. The Addl. Principal Chief Conservator of Forests (Central), Govt. of India, Ministry of Environment & Forests, North Eastern Regional Office, LAW-U-SIB, Lumbatngen, Near M.T.C. Workshop, Shillong - 793 021 for information. This has reference to Ministry of Environment, Forests & Climate Change, Govt. letter No. 11-246/2014-FC dtd 04/07/2014.
2. The Inspector General of Forests, Govt. of India Ministry of Environment, Forests & Climate Change (FC Division), Indira Paryavaran Bhawan, Aliganj, Jorbagh Road, New Delhi-110001. This has reference to Ministry of Environment, Forests & Climate Change, Govt letter No. 11-246/2014-FC dtd 04/07/2014.
3. The Chief Conservator of Forest, EAC, Tezu for information. He is requested to ensure that all the conditions mentioned above are strictly complied with by the User Agency and there is no deviation from the purpose and also no violation of the provision of F (C) Act, 1980 takes place.
4. The Divisional Forest Officer, Anjaw Forest Division, Anjaw for information. He will ensure that all the conditions mentioned above are strictly complied with by the User Agency and there is no deviation from the actual purpose of utilization of forest land and also no violation of the provisions of F (C) Act, 1980 takes place.
5. The Officer Commanding, 116 RCC (GREF), Pin-9300116, C/O 99 APO for information and necessary action.

09/09/2015
C.D. Singh
Chief Conservator of Forests (Cons)
& Nodal Officer (FCA)



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