

(203)
F. No. 8-26/2011-FC
Government of India
Ministry of Environment and Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110510
Dated: 3 April, 2011
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To

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

Sub: Diversion of 71.84 ha of forest land for construction of Trans Arunachal Highway (NH-52B) from Changlang-Khonsa road from 23.40 km to 67.42 km point in favour of PWD in Tirap district of Arunachal Pradesh.

Sir,

I am directed to refer to the State Government's letter no. FOR. 5 - 52 / Cons / 2010 / 543 - 45 dated 28.12.2010 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, the Central Government hereby conveys the recommendations of the Forest Advisory Committee for diversion of 71.84 ha of forest land for construction of Trans Arunachal Highway (NH-52B) from Changlang-Khonsa road from 23.40 km to 67.42 km point in favour of PWD in Tirap district of Arunachal Pradesh subject to fulfillment of the following conditions:

1. (i) The Compensatory Afforestation (CA) will be raised and maintained over double the area proposed for diversion in a degraded forest land (i.e. 143.68 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 State Forest Department.
2. 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.

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3. The User Agency shall furnish an undertaking to pay the additional NPV, if so determined, as per the final decision of Hon'ble Supreme Court of India.
4. 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 - 110 510.
5. The State Government will suggest comprehensive soil conservation measures to be undertaken at the cost of User Agency.
6. 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.
7. Any tree felling shall be done only when it is unavoidable under strict supervision of the State Forest Department.
8. No labour camps shall be set up outside the RoW proposed for the road.
9. The user agency shall provide alternate fuel to the labourers working at the site to avoid damage / felling of trees by the user agency.
10. No damage to the flora and fauna of the adjoining area shall be caused.
11. The user agency will involve an environmentalist to advice the agency on protection of flora and fauna and associated mitigative measures.
12. The user agency shall restrict the felling of trees to the minimum within the RoW preferably extending to 15 m width.
13. The width of the road shall be kept minimum.
14. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
15. The forest land shall not be used for any purpose other than that specified in the proposal.
16. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person.
17. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
18. 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. Attention will be particularly given to



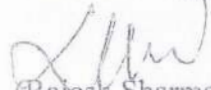
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providing safe crossings and corridors for Wildlife species and protecting sensitive habitats like wetlands, grasslands, and woodlands from degradation. Where canopy continuity is required for particular species, special measures shall be prescribed by the CWLW for providing crossing points. Where certain trees used for nesting / rookeries of species like birds of prey, herons, storks, hornbills, etc., are to be destroyed, alternative structure shall be provided and the trees transplanted.

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. Any other condition that 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 Central Government shall consider the handing over of forest land for non-forest purposes under section-2 of the Forest (Conservation) Act, 1980.


Yours faithfully,


(Rajesh Sharma)

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


(Rajesh Sharma)

Assistant Inspector General of Forests



