

GOVERNMENT OF TRIPURA
FOREST DEPARTMENT

No.F. 6-1328/FC/For-2021/ 186-97

Dated, the, 02/04/2022

ORDER


Subject: - Proposal for diversion of 0.63535 ha of forest land for development of approach road towards Sabroom Railway Station from Integrated Check Post (ICP) Mouja-Doulbari Sabroom under District Forest Officer, South.

After careful consideration of the proposal of Land Ports Authority of India (ICP), Agartala, the State Government hereby conveys in Principle approval in accordance with section 2(ii) of Forest (Conservation) Act, 1980 for diversion of forest land measuring 0.63535 ha for construction of approach road at Mouja Doulbari in Cs plot 1620, kh. No2-1; CS.plot No.1621, kh. No 2-1; CS plot 1622, kh. No 2-4; CS plot no. 1624, Kh. no 2-4 and CS plot1623, Kh. no. 2-8 under South District subject to the following conditions:-

1. The legal status of the land shall remain unchanged.
2. The Compensatory Afforestation shall be taken up by the Forest Department over **1.27 ha** identified by the Forest Department in Mouja-Tekka RF, CS Plot 302, Khatian number 1B/47 in Satchand Range, Bagafa Forest Sub-Division in South District at the cost of the user agency. As far as possible, mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
3. The State Government shall charge the Net Present Value for the forest area to be diverted under the proposal from the user agency as per the judgment of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 & 09.05.2008 in IA No. 566 in WP© No.202/1995 3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal to National CAMPA account of the State concerned.
4. The cost of compensatory afforestation at the prevailing wages rate shall be deposited in the Compensatory Afforestation Fund of Tripura State managed by the National CAMPA through e-portal in the account of the National CAMPA. The compensatory afforestation will be maintained for ten years. The scheme includes appropriate provision for anticipated cost increase for work scheduled for subsequent years.
5. Additional amount of the Net Present Value (NPV) of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
6. All the funds received from the user agency under the project towards the compensatory levies shall be transferred / deposited to the compensatory afforestation fund of Tripura State managed by the National CAMPA only through e-portal.
7. The boundary of the diverted forest land shall be suitably demarcated on the ground at the project cost, as per the direction of the concerned District Forest Officer.
8. The area shall not involve felling of 50 trees per ha.
9. The expenditure like felling, logging and transportation of project affected trees should be collected from the user agency at the rates approved by the State Government and deposited with the DFO concerned immediately for utilization following the diversion of forest land.
10. The expenditure like on boundary walls, stone pillars, demarcation charges and the cost of tree felling should be deposited with DFO, concerned.
11. The User Agency shall restrict the felling of trees to minimum number in the diverted forest land and trees shall be felled under strict supervision of State Forest Department

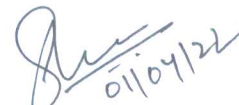
- and the cost of felling trees shall be deposited by the user agency with the State Forest Department.
12. The complete compliance to the Forest Right Act, 2006 shall be ensured by way of prescribed certificate from the concerned District Magistrate & Collector.
 13. The User Agency shall obtain the Environmental Clearance as per the project provisions Environment (Protection) Act 1986, if required under the said act.
 14. The layout plan of the proposal shall not be changed without the prior approval of the central Government.
 15. No labour camp shall be established on the forest land.
 16. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
 17. The User Agency should provide income generation activities for livelihood of nearby villagers.
 18. Parts of the area proposed for diversion are prone to soil erosion, so if needed, the user agency should bear expenditure incurred for soil stabilization measures and also to avoid the soil erosion and landslides during construction.
 19. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
 20. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
 21. The forest land proposed to be diverted shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person without prior approval of Government.
 22. The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for removal of stone, river sand, river boulders in forest land, if necessary.
 23. As per the Ministry's letter No.11-30/96-PC (pt) dated 14.09.2001, if compliance of stipulated conditions is awaited for more than 5(five) years, the In-Principle approval summarily be revoked considering that the user agency is no longer interested in the project.
 24. Violation of any of these conditions will amount to violation of Forest(Conservation) Act, 1980 and action would be taken as the MoEF&CC Guideline F.No.11-42/2017-FC dated 29/01/2018.
 25. All other clearance/ NOCs under different applicable rules/regulations/ local laws and under Forest Dwellers (Recognition of Forest Rights) Act, 2006 as required vide MoEF, New Delhi guideline No. 11.-9/1998-FC(Pt) dated 05.02.2013 shall be complied with.
 26. Any other conditions that the North Eastern Regional Office, Ministry of Environment, Forests & Climate Change, IRO, Shillong may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
 27. The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in>).
 28. The Government shall consider granting final approval for the project after getting the compliance report against the stipulations mentioned above from the user agency.

This is in persuasion to the general approval under section-2(ii) of Forest (Conservation) Act, 1980 and Forest (Conservation) Rules, 2003 (Guidelines & Clarifications) Handbook 2019 Critical Public/Strategic Defense Infrastructure.


(Shakti Kant Singh)
Addl. Secretary
to the Government of Tripura

Copy to:-

1. The Principal Chief Conservator of Forests & HoFF, Tripura for information please.
2. The Deputy Director General of Forests (C), Ministry of Environment, Forests & Climate Change, North Eastern Regional Office, Law-U-Sib, Lumbatngen, Near M.T.C. Workshop, Shillong 793021 for kind information.
3. The Nodal Officer, FCA, O/O- the Principal Chief Conservator of Forests, Tripura for information please.
4. The District Magistrate & Collector, South Tripura for information please.
5. The District Forest Officer, South Tripura for information please.
6. The Sub-Divisional Magistrate, Sabroom for information please.
7. The Manager, Land Port Authority of India, Integrated Check Post, Agartala, Tripura information please.



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