



सत्यमेव जयते

भारत सरकार

Government of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

Ministry of Environment, Forest & Climate Change

एकीकृत क्षेत्रीय कार्यालय, गुवाहाटी/Integrated Regional office, Guwahati

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28th December, 2021

सेवामे,

प्रमुख सचिव सह प्रधान मुख्य वन संरक्षक /

Principal Secretary – Cum- The Principal Chief Conservator of Forests

अरुणाचल प्रदेश सरकार/ Govt of Arunachal Pradesh

पर्यावरण और वन विभाग/Dept of Forests & Environment

ईटानगर/Itanagar- 791111.

Sub: Proposal for diversion of 27.34 ha of forest land for construction of 33 KV SC transmission line from Miao to Kharsang under Comprehensive Scheme for strengthening of T & D system by Power Department, Govt of Arunachal Pradesh in Changlang District of Arunachal Pradesh.

Sir,

This has got reference to the State Government's letter State Government's letter No. FOR.816/CONS/2018/1073-77 dated 20.06.2020 and No. FOR.816/CONS/2018/4807-10 dated 24.11.2021 on the subject seeking prior approval for the Central Government under Section 2 of the FCA, 1980 and to say that the proposal has been examined by the Regional Empowered Committee constituted by Central Government under Section 3 of aforesaid Act.

2. After careful examination of the proposal of the State Govt and on the basis of the recommendations of Regional Empowered Committee on 28.12.2021 and State Govt letter No. FOR.816/CONS/2018/4807-10 dated 24.11.2021, "**In Principle Approval/Stage- I**" clearance of the Central Government is hereby granted for diversion of 27.34 ha of forest land for construction of 33 KV SC transmission line from Miao to Kharsang under Comprehensive Scheme for strengthening of T & D system by Power Department, Govt of Arunachal Pradesh in Changlang District of Arunachal Pradesh, subject to the following conditions:

A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

- (1) The user agency shall transfer, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28/03/2008, 24/04/2008 and 09/05/2008 in Writ petition (Civil) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned.
- (2) The user agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include appropriate for anticipated cost increase for works scheduled for subsequent years;

- (3) All the funds received from the user agency (CA, dwarf species plantation cost, NPV, wildlife mitigation plan etc.) under the project shall be transferred/ deposited to Compensatory Afforestation Fund of Arunachal Pradesh State managed by the Ad-hoc CAMPA only through *e-portal* (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
- (4) The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in/>).
- (5) The KML files of the area to be diverted, the CA areas, the proposed SMC work, the proposed Catchment Area Treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details before issuing working permission towards linear projects or submitting compliance report for seeking Stage II approval, as the case may be.
- (6) The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from the pillar to pillar and GPS co-ordinates as per the directions of the concerned Divisional Forest Officer;
- (7) The user agency shall explore the possibility of successful translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- (8) The charges for felling, logging and transportation of project affected trees should be collected from the User Agency at the rates approved by the State Govt and deposited with the DFO concerned for utilization immediately following the diversion of forest land.
- (9) The expenditure like boundary walls, stone pillars, demarcation charges, cost of damage of trees the funds on these accounts should, be deposited with the DFO concerned.
- (10) The User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- (11) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (12) Implementation of the mitigation plan submitted by the Chief Wild Life Warden/State Board for Wildlife which contains the following measures:
 - a. Installation of bird diverters in power lines to save birds from getting electrocuted.
 - b. Creation of physical barriers like trenches to restrict wild elephants.
 - c. Creation of local fruit bearing tree plantation, fodder and bamboo plantation in the periphery of the village to augment wildlife and also act as a diversion for crop raiding wild animals.
 - d. An Alternative source of livelihood generation in the form of poultry, piggery and also bee-keeping should be introduced in the area.
 - e. Equipping the Forest Department and communities for effective management
 - f. Erection of watch towers in the buffer village for monitoring of wild elephant movement during the crop harvesting season.
 - g. Awareness and Training of the local community.
 - h. Installation of night vision signage and hoardings.

- i. Canopy connectivity for animal crossings.
- j. Waste Management Plan for taking care of non-biodegradable waste.

(13) The cost of implementing the wildlife mitigation plan will be borne by the user agency.

(14) Insulated cables should be used along the entire stretch of the proposed transmission line so as to avoid electrocution to avifauna and other arboreal species as well as avoid poaching using electricity. This is in accordance with the recommendation of the Standing Committee of National Board for Wildlife in its 54th meeting held on July 18, 2019.

(i) Height above the ground at the lowest point of the lowest conductor or grounding wires (i.e., at maximum sag point) of power line should be:

(ii) A minimum of 10m above ground on level terrain (slope 20 degrees) so that no elephant can reach it even with raised trunk.

(15) A minimum of 15m above ground on steeper terrain (slope > 20 degrees) so that no elephant can reach it even with raised trunk. The entire length of the proposed power line between Miao and Diyun should be marked with appropriate bird diverters spaced at 10m intervals. The bird diverters shall be regularly checked and maintained by the power company.

(16) The alignment of the power line should be made such that minimum numbers of trees are felled. Any felling/pollarding/pruning of trees for allowing electrical clearance/maintenance will be done with the permission of the local DFO, Namdapha Tiger Reserve.

(17) No construction/maintenance work shall be permitted within forest and wildlife areas in between 6 PM to 7 AM. Labour camps should be at least 1 km away from the boundaries of the Tiger Reserve.

(18) No construction material (including soil, stones etc.) should be collected from the forest.

(19) Trees below the transmission lines which reach a maximum height of 7-8 m should not be cut.

(20) An annual compliance certificate on the stipulated conditions shall be submitted by the project proponent to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State Chief Wildlife Warden to Government of India.

(21) Violation of any of these conditions will amount to violation of Forest(Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest(Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-Fc dated 28.03.2019.

(22) The User Agency in consultation with the State Forest Department prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under the transmission line for execution of the said scheme to the State Forest Department.

B: Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

- (1) Legal status of the forest land shall remain unchanged.
- (2) The compensatory afforestation shall be taken up on double degrade forest land of 55 ha identified at Namphuk & Miao RF under Namphai & Diyun Range, Nampong Forest Division in Changlang district of Arunachal Pradesh within three years from the date of Stage -II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided. The CA will be maintained for 10 years.
- (3) At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (4) The User Agency shall obtain the Environment Clearance as per the provisions of Environment (Protection) Act, 1986, if required;
- (5) No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- (6) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
- (7) No damage to the flora and fauna of the adjoining area shall be caused;
- (8) The lay out of the proposal shall not be changed without the prior approval of the Central Government.
- (9) The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
- (10) The User Agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
- (11) The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
- (12) The User Agency shall comply with the guidelines for laying transmission through forest areas issued by Ministry vide letter no. 7-25/2012-FC dated 05/05/2014 & 19/11/2014.
- (13) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (14) 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.
- (15) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (16) 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 be summarily revoked considering that the user agency is no longer interested in the project.
- (17) Any other conditions that the Integrated Regional Office, Guwahati, Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

(18) The proposed OB labour Sheds & MB type quarter in the Compensatory afforestation scheme should be of temporary structure and to be dismantled within 10 years from the 1st year of plantation. State Govt shall adhere to Section 5(4)(e) of CAF rules and other relevant Rules as applicable while implementing the Compensatory afforestation scheme; and accordingly technically approved and duly signed revised CA estimate scheme is to be submitted.

3. After the receipt of the compliance report from the State Government on fulfilment 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.

 भवदीय,

(W. Longvah)
वन महा निरीक्षक(केंद्रीय)
Inspector General of Forests(C)

Copy to:

1. प्रधान मुख्य वन संरक्षक/ Principal Chief Conservator of Forests & Nodal Officer (FCA),
अरुणाचल प्रदेश सरकार/Government of Arunachal Pradesh, पर्यावरण और वन विभाग/
Department of Env. & Forests, ईटानगर/Itanagar.



वन महा निरीक्षक(केंद्रीय)
Inspector General of Forests(C)

