

546

GOVERNMENT OF MEGHALAYA  
FORESTS & ENVIRONMENT DEPARTMENT

ORDERS BY THE GOVERNOR

**NOTIFICATION**

Dated Shillong, the 4<sup>th</sup> August, 2022.

No.FOR.28/2022/54 - On the General Approval accorded by the Central Government, under Section-2 (II) of the Forest (Conservation) Act, 1980 vide letters No.11.09/98-FC dated 07.11.2014 and F.No.11-09/1998-FC dated 07.09.2015 for diversion of forest land not exceeding 1.00 ha., the Governor of Meghalaya is pleased to accord Stage-I approval to the diversion of 0.08 ha. of forest land for providing additional water supply from Ka Riat Tynrah Spring Source to Block-I, Block-II and Block-III, Lawsohtun in East Khasi Hills District subject to fulfilment of the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. The compensatory afforestation shall be taken up by the Forest Department in 0.1 ha. in single patch in the blank area of Umdiker Forest under Umtasor Range in East Khasi Hills District at the cost of the user agency. As far as possible a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.
3. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the user agency. The CA shall be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
4. The Forest Department shall charge the Net Present Value (NPV) for the 0.08 ha forest area to be diverted under this proposal from the user agency as per the orders of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 and 09.05.2008 in IA No.566 in WP(C) No.202/1995 and as per the guidelines issued by the Ministry vide letter No.5-1/1998-FC(Pt.II) dated 18.09.2003, as well as letters No.5-2/2006-FC dated 03.10.2006, No.5-3/2007-FC dated 05.02.2009 and No.5-3/2011-FC(Vol-I) dated 06.01.2022 in this regard.
5. Additional amount of the 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. Full exemption of NPV in case of laying of underground drinking water pipeline 4" dia provided no felling of trees is involved, non-commercial project, area proposed for diversion is outside of Protected Area and total forest land required for project is less than 1.00 ha as per the MoEF & CC Guideline F. No. 5-3/2007-FC dated 05.02.2009 and No.5-3/2011-FC(Vol-I) dated 06.01.2022.

7. 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.
8. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>)
9. The User Agency shall bear and deposit the amount of the cost of demarcation of the land proposed for diversion directly to the concerned Divisional Forest Officer. The concerned Divisional Forest Officer shall demarcate the land proposed for diversion on the ground by erecting at least 4' high reinforced cement -concrete pillars duly numbered, forward and backward bearing and distance from pillar to pillar to be written on the pillars and GPS co-ordinates to be inscribed on the pillars. The competent authority shall verify and issue a certificate to this effect. Photographs showing permanent boundary pillars with GPS co-ordinates to be submitted.
10. The user agency shall obtain Environmental Clearance as per the project provisions of the Environment (Protection) Act, 1986, if required under the said Act.
11. No labour camp shall be established on the forest land.
12. The user agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river boulders in forest land, if necessary.
13. Sufficient quantity of firewood, preferably the alternate fuel, shall be provided by the user agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source for alternate fuel.
14. The forest land shall not be used for any purpose other than that specified in the project proposal.
15. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of the State Government.
16. The lay out plan of the proposal shall not be changed without the prior approval of the State Government.
17. 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.
18. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

19. 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.
20. Violation of any of these conditions will amount to violation of Forest Conservation Act, 1980 and action would be taken as per the MoEF & CC Guideline F.No.11-42/2017-FC dated 29.01.2018 and FC Act Guidelines, 2019.
21. Any other condition that the Ministry of Environment, Forest & Climate Change / State Government may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
22. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of the compliance report from the O/o the Principal Chief Conservator of Forests & HoFF on fulfilment of the conditions mentioned above, final approval will be issued in this regard.

Sd/-  
(Syed Md.A.Razi, IRTS)  
Commissioner & Secretary to the Govt. of Meghalaya,  
Forests and Environment Department.

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Memo No.FOR.28/2022/54-A,

Dated Shillong the, 4<sup>th</sup> August, 2022.

Copy to:-

1. The Principal Chief Conservator of Forests & HoFF, Meghalaya, Shillong for information.
2. The Deputy Inspector General of Forest (C), Government of India, Integrated Regional Office, Ministry of Environment, Forest & Climate Change, Shillong for information.
3. The P.A. to the Commissioner & Secretary to the Government of Meghalaya, PHE Department for information.
4. The Conservator of Forests (T & WL), Khasi & Jaintia Hills, Shillong for information and necessary action.
5. The Divisional Forest Officer, East Khasi Hills & Ri-Bhoi (T) Division, Shillong for information.
6. The Chief Engineer PHE, Meghalaya, Shillong.

By order etc.,

Secretary to the Govt. of Meghalaya,  
Forests and Environment Department.

O/c