

No. NHIDCL/PMU-Basar/ICBR/T-H/FC/2022-23/ | 280

14.03.2023

To,
The Executive Director,
Regional Office, Itanagar
Arunachal Pradesh.

Sub: Proposal for diversion of 61.39 ha forestland for construction of Tadadege-Henkar Road from 0.00 KM to 28.55 KM by NHIDCL in West Siang District of Arunachal Pradesh- **Compliance Report-Reg.**

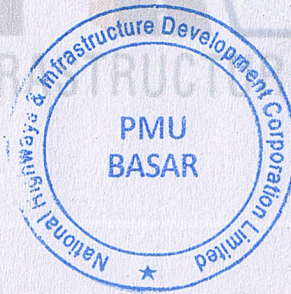
Ref:i) Regional Office letter No NHIDCL/RO-ITA/08/ICBR-TH/FC/2021-22/4457 dated 09.03.2023

ii) PCCF, Itanagar letter No. FOR.3-231/Cons/2020/546-48, dated 13th Feb 2023.

iii) IRO, Guwahati letter No.3 AN A/094/2022/GHY/3563-64, dated 07th Feb 2023.

Sir,

1. Please refer to letter under reference (i) above.
2. In this regard, please find enclosed herewith "**Undertaking for Compliance Report**" in respect of diversion of 61.39 ha forestland for construction of Tadadege-Henkar Road from 0.00 KM to 28.55 KM by NHIDCL in West Siang District.



Prabhakar Kumar
14/3/2023

(Prabhakar Kumar)
General Manager (P)
PMU-Basar (A.P)

No. NHIDCL/PMU-Basar/ICBR/T-H/FC/2022-23/

14.03.2023

UNDERTAKING FOR COMPLIANCE REPORT IN RESPECT OF DIVERSION OF 61.39 HA FORESTLAND FOR CONSTRUCTION OF TADADEGE-HENKAR ROAD FROM 0.00 KM TO 28.55 KM BY NHIDCL IN WEST SIANG DISTRICT OF ARUNACHAL PRADESH.

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

Undertaking of Condition No A (1)

The user agency shall transfer, the Net Present Value (NPV) of the forest land being diverted under this proposal in the revised rates, 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 and File No 5-3/2011-FC(Vol-1) dated 21.03.2022. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned.

It is certified that, An amount of Rs. 8,85,06,901/- being the cost of NPV and penal NPV has been transferred to Ad-hoc CAMPA account as per e-challan application No 6137045843 dated.06.03.2023 (Copy already sent).



Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

Undertaking of Condition No A (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.

It is certified that, An amount of Rs. 1,94,34,000/- being the cost of CA has been transferred to Ad-hoc CAMPA account as per e-challan application No 6137045843 dated.06.03.2023.

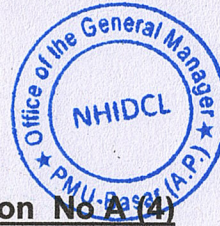


Kumar
14/3/2023
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General Manager (P)

Undertaking of Condition No A (3)

All the funds received from the user agency (CA and dwarf plantation cost, NPV, 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.

It is certified that Total amount of Rs. 10,79,40,901/- being the cost of NPV, Penal NPV & CA transferred to Ad-hoc CAMPA only through e-portal as per e-challan application No 6137045843 dated.06.03.2023.



Prabhakar Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

Undertaking of Condition No A (4)

The state Govt shall ensure the transfer of the admissible cost of penalty for the act of violation to Ad-hoc CAMPA by the user Agency NHIDCL and necessary actions contemplated against erring officials who remain inactive against violation as per the para 1.21(ii) of Forest Conservation Act, 1980 and Forest Conservation Rules, 2003 (Guidelines & Clarifications) Handbook 2019.

It is certified that cost of penalty for the act of violation have been transferred to ad-hoc CAMPA by user agency NHIDCL through e-portal as per e-challan application No 6137045843 dated.06.03.2023. The Erring Officials have been counselled as per para 1.21(ii) of Forest Conservation Act, 1980 and Forest Conservation Rules, 2003 (Guidelines & Clarifications) Handbook 2019.



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Undertaking of Condition No A (5)

The Undertaking from the user agency for providing proper drainage of retaining/breast wall in steep slopes and stabilization of side slope to avoid soil erosion and landslides, and to provide drains/cross drains. Physical barriers/structures to prevent muck from entering streams & rivers and other ecologically sensitive areas are to be constructed on the lower slope side, if required, before any construction work started.

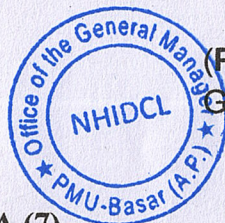
It is certified that, proper drainage of retaining/breast wall in steep slopes and stabilization of side slope to avoid soil erosion and landslides, and to provide drains/cross drains is provided. Further, Physical barriers/structures to prevent muck from entering streams & rivers and other ecologically sensitive areas are to be constructed on the lower slope side, if required, before any construction work started.



Prabhakar Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

Undertaking of Condition No A (6)

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.

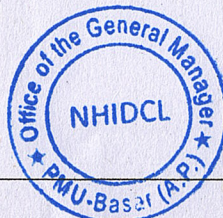


Prabhakar Kumar
14/3/2023
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General Manager (P)

Undertaking of Condition No A (7)

The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

I, on behalf of NHIDCL hereby undertaking that the compliance report will be uploaded on e-portal.



Prabhakar Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

Undertaking of Condition No A (8)

The boundary of the diverted forest land, shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.

I on behalf of NHIDCL is hereby undertake that, the boundary of the diverted forest land shall be suitably 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 coordinates.

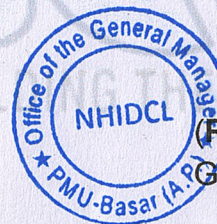


Kumar
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Undertaking of Condition No A (9)

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.

I on behalf of NHIDCL is hereby undertake that, The charges for felling, logging and transportation of project affected trees should be paid by 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.



Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

Undertaking of Condition No A (10)

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.

I on behalf of NHIDCL is hereby undertake that, 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.



Kumar
14/3/2023
(Prabhakar Kumar)
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Undertaking of Condition No A (11)

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.

I on behalf of NHIDCL is hereby undertake that, the felling of trees on the forest land being diverted shall be reduced to the minimum and the trees will be felled under strict supervision of State Forest Department and the cost of felling of trees shall be deposited with the State Forest Department.



Prabakar
14/3/2023
(Prabhakar Kumar)
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Undertaking of Condition No A (12)

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.

I on behalf of NHIDCL is hereby undertake that, 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.



Prabakar
14/3/2023
(Prabhakar Kumar)
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PMU-Basar (A.P.)

Undertaking of Condition No A (13)

The Complete compliance of the FRA,2006 shall be ensured by way of prescribed certificate from the concerned District Collector.



Prabakar
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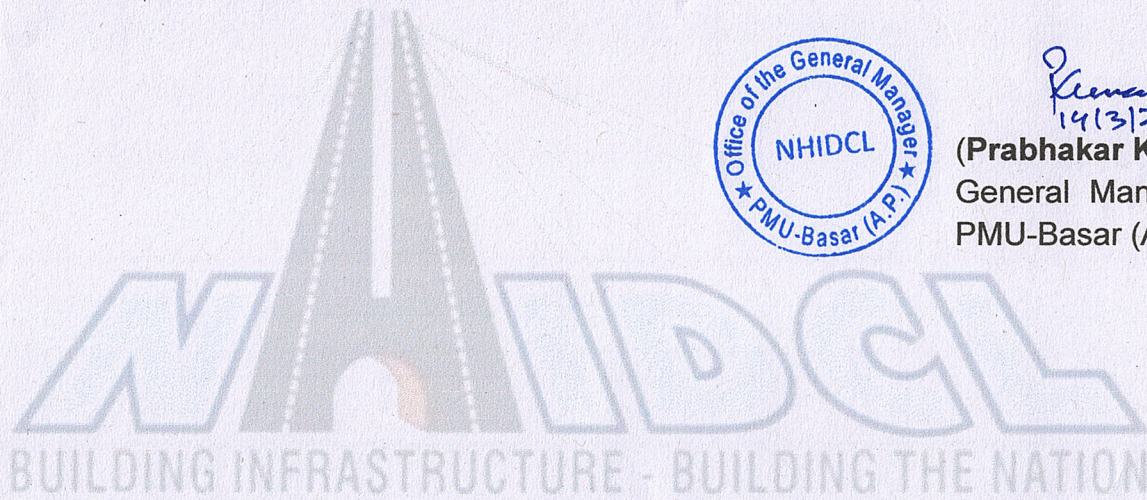
Undertaking of Condition No A (14)

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.

I on behalf of NHIDCL is hereby undertake that, 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.



Prabhakar Kumar
14/3/2023
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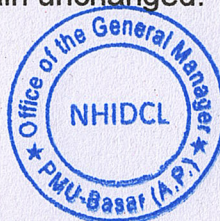
No. NHIDCL/PMU-Basar/ICBR/T-H/FC/2022-23/

14.03.2023

UNDERTAKING FOR COMPLIANCE REPORT IN RESPECT OF DIVERSION OF 61.39 HA FORESTLAND FOR CONSTRUCTION OF TADADEGE-HENKAR ROAD FROM 0.00 KM TO 28.55 KM BY NHIDCL IN WEST SIANG DISTRICT OF ARUNACHAL PRADESH.

CONDITION. I

Certified that, the legal status of the forest land shall remain unchanged.

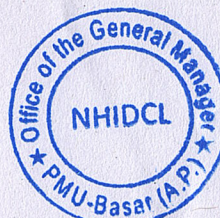


Prabhakar Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

CONDITION No. II & III

Certified that, user agency has transferred the cost of compensatory afforestation cover equivalent area diverted i.e. 61.39 ha in degraded forest land identified by the DFO Likabali Division at under Likabali forest division & the Net Present Value (NPV) of the forest area proposed for diversion under this proposal, as per the judgement of the Hon'ble Supreme court of India dated 28.03.2008 & 09.05.2018 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 the payment has been made to Arunachal Pradesh CAMPA by the user agency as per details below:

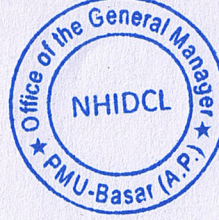
Sl. No	Items	Amount	Cheque/DD No. & Date	Bank & A/c Details
1	Cost of Compensatory Afforestation over 61.39 ha as per detailed estimate	Rs.1,94,34,000/-	Ch.No.000232 Dated-06.03.2023	Arunachal Pradesh CAMPA A/C No.150606137045843 IFSC Code-UBIN0996335 Union Bank of India
2	Cost of NPV over 61.39 ha	Rs.8,42,52,250/-		
3	Penal NPV cost	Rs. 42,54,651/-		



Prabhakar Kumar
14/3/2023
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CONDITION No. IV

Certified that, 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 will be paid by the department i.e. NHIDCL.



Prabhakur
14/3/2023
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CONDITION No.V

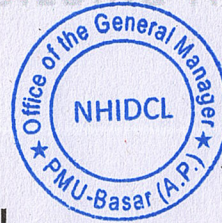
Certified that, the Environment Clearance as per the provisions of the Environmental (Protection) Act' 1986 will be obtained, if applicable.



Prabhakur
14/3/2023
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General Manager (P)

CONDITION No.VI

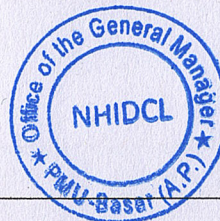
Certified that, the User Agency will take all possible precautions and care all the time not to impact adversely the surrounding forests and forest land by their actions/activities.



Prabhakur
14/3/2023
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General Manager (P)

CONDITION No. VII

Certified that, the User Agency will undertake comprehensive soil and water conservation measures at the project cost.



Prabhakur
14/3/2023
(Prabhakar Kumar)
General Manager (P)

CONDITION No. VIII

Certified that, the User Agency shall ensure special precaution and preventive measures to prevent landslides in the green field while cutting the road.



Prabhar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

CONDITION No. IX

Certified that, the overburden shall not be dumped outside the width of the road. The muck generated in the earth cutting 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.



Prabhar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

CONDITION No. X

Certified that, wherever possible and technically feasible, the user agency will undertake afforestation measures along the road within the area diverted under this approval, in consultation with the State Forest Department at the project cost.



Prabhar
14/3/2023
(Prabhakar Kumar)
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CONDITION No. XI

Certified that, the muck dumping area will be stabilized and plantation of suitable species shall be carried out over stabilized dumps on the cost of the user agency under the supervision of State Forest Department.



Prabhar
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(Prabhakar Kumar)
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CONDITION No. XII

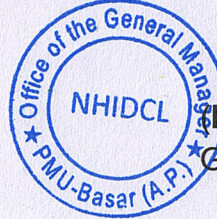
Certified that, the designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of the water, does not give rise to water logging and also does not hamper the movement of wild animals.



Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

CONDITION No. XIII

Certified that, all the site specific engineering structures like retaining walls, breast wall and drainage shall be constructed to avoid any soil erosion and to provide slope stability of the concerned hills.



Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

CONDITION No. XIV

Certified that, no labour camp shall be established on the forest land and the user agency will provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damages and pressure on the nearby forest areas.



Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

CONDITION No. XV

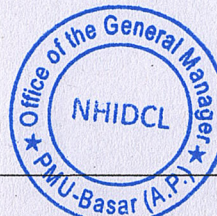
Certified that, the forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt of India.



Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

CONDITION No. XVI

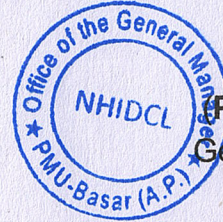
Certified that, no damage to the flora and fauna of the adjoining area shall be caused.



Kumar
14/3/2023
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CONDITION No. XVII

Certified that, the lay out of the proposal shall not be changed without the prior approval of the Central Government.



Kumar
19/3/2023
(Prabhakar Kumar)
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CONDITION No. XVIII

Certified that, 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.



Kumar
19/3/2023
(Prabhakar Kumar)
General Manager (P)

CONDITION No. XIX

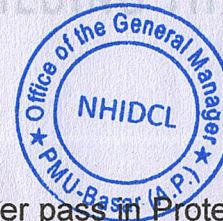
Certified that, the user agency will raise strip plantation on both sides and central verge of the road as per IRC norms.



Kumar
14/3/2023
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CONDITION No. XX

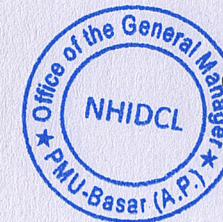
Certified that, the speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.



Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

CONDITION No. XXI

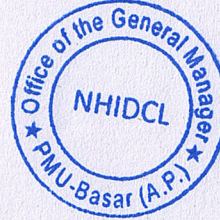
Certified that, the user agency will provide suitable under/over pass in Protected Area/Forest Area as per recommendations of CWLW/NBWL/FAC/REC, wherever applicable.



Kumar
14/3/2023
(Prabhakar Kumar)
General Manager (P)

CONDITION No. XXII

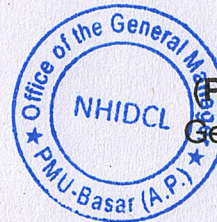
Certified that, the user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.



Kumar
14/3/2023
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CONDITION No. XXIII

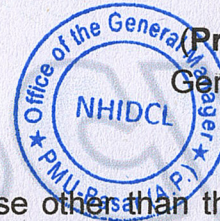
Certified that, no additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.



Kumar
14/3/2023
(Prabhakar Kumar)
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CONDITION No. XXIV

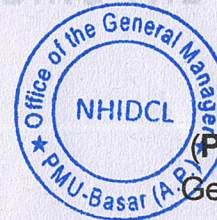
Certified that, the period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.



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CONDITION No. XXV

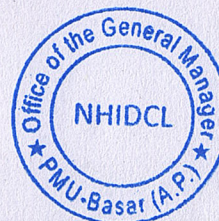
Certified that, the forest land shall not be used for any purpose other than that specified in the project proposal.



Kumar
14/3/2023
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CONDITION No. XXVI

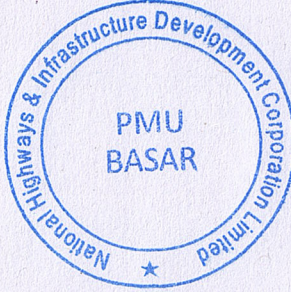
Certified that, as per Ministry's letter No 11-30/96-FC(Pt) dt 14.09.2001, if the compliance of stipulated conditions is awaited from the State Govt for more than 5 (five) years, the in -principle approval would be summarily revoked considering that the user agency is no longer interested in the project.



Kumar
14/3/2023
(Prabhakar Kumar)
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CONDITION No. XXVII

Certified that, 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 and wildlife.



Prabakar
14/3/2023
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PMU-Basar (A.P)

