## GOVERNMENT OF ARUNACHAL PRADESH DEPARTMENT OF ENVIRONMENT, FORESTS & CLIMALE CHANGE ITANAGAR.

No. FOR.3-231/Cons/2020/ 3440-47

Itanagar dated 26 June'2023

To

The Regional Officer, Ministry of Environment, Forest & Climate Change, Integrated Regional Office, Guwahati, 4<sup>th</sup> Floor, Housefed Building, G.S Road, Rukminigaon, Guwahati-781022

Sub:- Proposal for diversion of 61.39 ha forest land for construction of Tadadege-Henkar road from 0.00 km to 28.55 km by NHIDCL in West Siang District of Arunachal Pradesh

Ref:- Your letter F.No. 3-AN A 094/2022/GHY/3563-64 dtd. 07.02.2023.

Madam.

With reference to letter cited above, this is to submit compliance report as below of the conditions stipulated therein for favour of your information and necessary action:

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 09/05/2088 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-I) dated 21.03.2022. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned.	As per revised rate of MoEF&CC's letter dated 22.03.2022, the amount of Net Present Value of the forest land diverted under this proposal for Rs.8,42,52,250/- has been deposited to National Authority (CAMPA) as per e-challan dated 06.03.2023 and deposited on 09.03.2023 at Annexure-I.
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.	The cost of compensatory afforestation for Rs.1,94,34,000/- has been deposited to National Authority (CAMPA) as per echallan dated 06.03.2023 and deposited on 09.03.2023 at Annexure-I.
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.	The total amount of Rs.10,79,40,901/- being cost of CA, NPV & PNPV has been deposited to National Authority (CAMPA) as per e-challan dated 06.03.2023 and deposited on 09.03.2023 at Annexure-I.

4	The State Govt shall ensure the transter 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 remained inactive against violation as per the para 1.21(ii) of Forest Conservation Act,1980 and Forest Conservation Rules,20063 (Guidelines & Clarifications) Handbook 2019.	The cost of Penal NPV for Rs.42,54,651/has been deposited to National Authority (CAMPA) as per e-challan dated 06.03.2023 and deposited on 09.03.2023 at Annexure-I.
5	The undertaking from the user agency for providing propoer 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/structure 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 works are started.	The User Agency has submitted undertaking for this condition at Annexure-II.
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	The KML files of the area to be diverted and the CA areas are uploaded on the e-Green watch portal.
7	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/)	Uploaded.
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	The User Agency has submitted undertaking for this condition. and to be done after final approval by the UA. at Annexure-III
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.	the Divisional Forest Officer, Along FD
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.	The User Agency has submitted undertaking for this condition at Annexure-III.
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 upersivision of the State Forest Department and the cost of fellinig of trees shall be deposited by the user Agency with the State Forest Department.	for this condition at Annexure-IV.

12	The user agency shall explore the possibility of successful translocation of maximum number of	The User Agency has submitted undertaking for this condition at Annexure-IV.
	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.	11 C.I. FD A 2006
13	The complete compliance of the FRA, 2006 shall	The complete compliance of the FRA, 2006,
	be ensured by way of prescribed certificate from	submitted by the DC, Shi-Yomi is enclosed
	the concerned District Collector.	at Annexure-V.
14	Viotation of any of these conditions will amount	The User Agency has submitted undertaking
14	to violations of Forest (Conservation) Act, 1980	111
	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.	

# 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 Statge-II approval:

1	Legal status of the forest land shall remain unchanged.	
3	The Compensatory Afforestation shall be taken by the Forest Department over equivalent degraded forest land of 61.39 ha at Likabali Reserve Forest in Likabali Forest Division in West Siang 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.  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) € 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.	The CA scheme for 10 years with technically approval by the competent authority has been submitted with the proposal vides dated 05.04.2022.

	(NPV) at the then prevailing rate, the User	The User Agency has submitted undertaking for this condition at Annexure-VII.
	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:	User Agency has submitted necessary
5		undertaking in this regards at Annexure-VII
	Clearance as per the provisions of Environment	undertaking in this regards at Affickate VII
	(Protection) Act, 1986, if required;	The User Agency has submitted undertaking
6		for this condition at Annexure-VII.
	precautions & care all the time not to impact	for this condition at 7 timestare
	adversely the surrounding forests and forest land	
	by their actions/activities.	The User Agency has submitted undertaking
7	The user agency will undertake comprehensive	for this condition at Annexure-VII.
	soil and water conservation measures at the	for this condition at 7 miles are
	project cost.	The User Agency has submitted undertaking
8	The State Govt and user agency shall ensure	for this condition at Annexure-VIII.
	special precaution and preventive measures to	for this condition at 1 missions
	prevent landslides in the green filed while	
	cutting the road.	The User Agency has submitted undertaking
9	The overvburden shall not be dumped outside	for this condition at Annexure-VIII.
	the width of the road. The muck generated in the	for this condition as
	earth cutting will be disposal off at the desinated	
	dumping sites and in no case the muck/debris	
	will be allowed to roll down the hill slopes.	The User Agency has submitted undertaking
10	Wherever possible and technically feasible, the user agency shall undertake afforestation	for this condition at Annexure-VIII
	meaures along the road within the area diverted	
	under this approval, in consultation with the	
	State Forest Department at the project cost.	9.5
11	The muck dumping area shall be stabilized and	The User Agency has submitted undertaking
11	plantation of suitable species shall be carried out	for this condition at Annexure-VIII.
	over stabilized dumps on the cost of the user	
	agency under the supservision of State Forest	
	Denartment.	
12	The designing of culverts/ bridge, if any, over the	The User Agency has submitted undertaking
12	natural streams/ rivers/ canals should be done in	for this condition at Annexure-IX.
100	such a maner 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 the wild animals.	1 1 1 1 1 1 1 1 1
13	· · · · · · · · · · · · · · · · · · ·	The User Agency has submitted undertakin
13	retaining walls, breast wall and drainage shall be	for this condition at Affication 17.
	constructed to avoid any soil erosion and to	
	provide slope stability of the concerned hills.	1 1 1 1 1 1 1 1 1 1
14	No labour camp shall be established on the fores	t The User Agency has submitted undertaking
1-4	land and the user Agency shall provide fuels	s for this condition at Afficació 171.
	preferably alternate fuels to the labourers and the	2
	staff working at the site so as to avoid any	y
	damange and pressure on the nearby forest areas	

15	The forest land proposed to be diverted shall under no circumstances be transferred to any	The User Agency has submitted undertaking for this condition at Annexure-IX
	other agencies, department or person without prior approval of Govt. of India.	
16	No damage to the flora and fauna of the	The User Agency has submitted undertaking
10	adjoining area shall be caused.	for this condition at Annexure-IX
17	The lay out of the proposal shall not be changed	The User Agency has submitted undertaking
	without the prior approval of the Central Government.	for this condition at Annexure-X
18	The concerned Divisional Forest Officer, will	Noted.
	monitor and take necessary m itigative measures	
	to ensure that there is no adverse impact on the	
	forests in the surrounding area.	
19	The User Agency shall raise strip plantation on	The User Agency has submitted undertaking
	both sides and central verge of the road as per	for this condition at Annexure-X
	IRC norms	
20	The speed regulating signage will be erected	The User Agency has submitted undertaking
	along the road at regular intervals in the	for this condition at Annexure-X.
-	Protected Areas/Forest Areas.	The Heavy Assessment has endowed a sundantalism
21	The user agency shall provide suitable	The User Agency has submitted undertaking for this condition at Annexure-X.
	under/over pass in Protected Area/Forest Area as	for this condition at Annexure-A.
	per recommendations of	
22	CWLW/NBWL/FAC/REC, wherever applicable.	The User Agency has submitted undertaking
22	The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines,	for this condition at Annexure-XI.
	Hon'ble Court Order (s) and NGT Order (s)	for this condition at Afficatio-Aff.
	pertaining to this project, if any, for the time	
	being in force, as applicable to the project	
23	No additional or new path will be constructed	The User Agency has submitted undertaking
20	inside the forest area for transportation of	for this condition at Annexure-XI
	construction materials for execution of the	
	project work.	
24	The period of diversion under this approval shall	Noted
	be co-terminus with the period of lease to be	
	granted in favour of the user agency or the	
	project life, whichever is less.	
25	The forest land shall not be used for any purpose	The User Agency has submitted undertaking
	other than that specified in the project proposal.	for this condition at Annexure-XI.
26	As per Ministry's letter No. 11-30/96-FC(Pt)	Noted
	dtd. 14.9.2001, if the compliance of stipulated	
	conditions is awaited from the State Govt. for	
	more than 5(five) years, the in-principal approval	
	would be summarily revoked considering that	
	the user agency is no longer interested in the	
27	project.  Any other conditions that the Integrated	Noted
27	Regional Office, Guwahati, Ministry of	I and the second
	Environment, Forest & Climate Change may	
	stipulate from time to time in the interest of	
	conservation, protection and development of	
	, tomori, protestion and at the printer	

Forests & Wildlife.		
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It is, therefore, requested to kindly issue necessary formal approval for diversion of 61.39 ha forestland for construction of above road under Section-2 of the Forest (Conservation) Act, 1980 at an early date.

Enclosed:- As above

Yours faithfully,

K B Singh)

Addl. PCCF (Cons) & Nodal Officer (FCA)

### Copy to:-

1. The Chief Conservator of Forests, CAC, Pasighat for information.

- 2. The Executive Director (P). NHIDCL, Niti Vihar, Itanagar for information and necessary action
- 3. The Divisional Forest Officer, Along Forest Division for information.

(K.B.Singh)

Addl. PCCF (Cons) & Nodal Officer (FCA)



## Office of The General Manager (P) PMU-BASAR, Arunachal Pradesh

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Ministry of Road Transport & Highways,

Government of India

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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.

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Diversion of Forest Land for Construction of Tadadege - Henkaer Road from 0.00 km to 28.55 km by CPWD under West Siang District of Arunachal Pradesh			P S Z N



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### **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.

(Prabhakar Kumar) General Manager (P)

Undertaking of Condition No A

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.

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#### **Undertaking of Condition No A (10)**

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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.

(Prabhakar Kumar) General Manager (P)

abhakar Kumar)



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### **Undertaking of Condition No A (11)**

Email: gmpbasar@gmail.com

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.

(Prabhakar Kumar) General Manager (P)

### **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.

(Prabhakar Kumar) General Manager (P)

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.





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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.

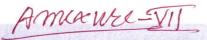
I on behalf of NHIDCL is hereby undertake that, Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by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

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





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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.

Email: gmpbasar@gmail.com

(Prabhakar Kumar)
General Manager (P)

### **CONDITION No.V**

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



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(Prabhakar Kumar) 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.

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NHIDCL MANU-Basar (A)

(Prabhakar Kumar) General Manager (P)

### **CONDITION No. VII**

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

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### **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.

(**Prabhakar Kumar**) General Manager (P)

General Manager (P)

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.

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.

CONDITION No. XI

Certified that, the muck dumping area will 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.

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**CONDITION No. XII** 

Certified that, the designing of culverts/bridges, if any, over the naturals 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 animals.

(Prabhakar Kumar)
General Manager (P)

Seneral 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.

**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.

**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.

(Prabhakar Kumar)

(**Prabhakar Kumar**) General Manager (P)

General Manager (P)

**CONDITION No. XVI** 

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

BUILDING INFRASTRU

(Prabhakar Kumar)

General Manager (P)

Regional Office Itanagar. Address – GD Apartment, Near Govt. Middle School, Senki Park, Div-IV Papumpare:- 791113

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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. he Gener

eneral Manager (P)

**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.

**CONDITION No. XIX** 

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

(Prabhakar Kumar)

General Manager (P)

General Manager (P)

CONDITION No.

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

General Manager (P)

**CONDITION No. XXI** 

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

Seneral Manager (P)



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**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.

General Manager (P)

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.

abhakar Kumar) NHIDCL eneral Manager (P)

**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.

**Prabhaka** eral Manager (P) NHIDCL

CONDITION No. XXV

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

abhakar Kumar)

General Manager (P)

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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.