

No. NHIDCL/Arrowa-Tidding/FC/PMU-NMS/2021-22

Dated 28.12.2023


**UNDERTAKING FOR COMPLIANCE REPORT IN RESPECT OF DIVERSION OF 3.04 HA OF FOREST LAND FOR CONSTRUCTION OF ARROWA-TIDDING ROAD FROM 0.00 KM TO 1.76 KM BY NHIDCL IN LOHIT DISTRICT OF ARUNACHAL PRADESH.**

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

**CONDITION No. A (I)**

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 and Ministry letter 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.


It is certified that, an amount of Rs. 33,95,376/- being the cost of NPV has been transferred to Ad-hoc CAMPA account as per e-challan dated 11.12.2023.

  
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**CONDITION No. A (II)**

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.


Certified that, an amount of Rs. 15,16,900/-being the cost of Compensatory Afforestation has been transferred to Ad-hoc CAMPA account as per e-challan dated 11.12.2023

  
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**CONDITION No. A (III)**

All the fund 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.


Total amount of Rs. 49,12,276/- has been made towards the cost of NPV & CA transferred to Ad-hoc CAMPA account on dated 27.12.2023.

  
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**CONDITION No. A (IV)**


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

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

  
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**CONDITION No. A (V)**

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.


  
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**CONDITION No. A (VI)**

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, hereby undertake that 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.

  
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**CONDITION No. A (VII)**

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 DFO concerned for utilization immediately following the diversion of forest land.


I on behalf of NHIDCL, hereby undertake that 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 DFO concerned for utilization immediately following the diversion of forest land

  
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**CONDITION No. A (VIII)**

The expenditure like boundary walls, stone pillars, demarcation charges, cost of damage of trees the funds on these accounts should, be deposited with DFO concerned.


I on behalf of NHIDCL, 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 DFO concerned

  
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**CONDITION No. A (IX)**

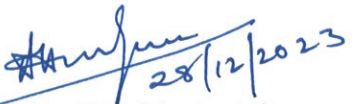
The User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.

I on behalf of NHIDCL, hereby undertake that 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 with the State Forest Department

  
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**CONDITION No. A (X)**


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

  
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**CONDITION No. A (XI)**

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, hereby undertake that, violation of any of these conditions shall not be done which will amount to violation of Forest (Conservation) Act, 1980.


  
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**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: -**


**CONDITION No. I**

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

  
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**CONDITION No. II**

Certified that, the compensatory afforestation shall be taken up on an 6.08 ha degraded forest land in Tezu PRF under Lohit Forest Division in Lohit 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.

  
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**Condition No. III**

Certified that, 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 additional amount of NPV, if so determined, as per final decision of the Hon'ble Supreme Court of India.

  
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**Condition No. IV**

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

  
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**Condition No. V**

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

  
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**Condition No. VI**

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

  
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**Condition No. VII**

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

  
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**Condition No. VIII**

Certified that, whenever 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.

  
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**Condition No. IX**


Certified that, the muck dumping area shall 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.

  
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**Condition No. X**

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 the wild animals.

  
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**Condition No. XI**

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.

  
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**Condition No. XII**


Certified that, the User Agency will take special measures for prevention of landslide/erosion by biological or mechanical measures and stabilization of side slope to avoid landslides and ensure that muck is dumped only on identified muck dumping area as per Muck Dumping Plan.

  
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**Condition No. XIII**

Certified that, the roadside plantation of indigenous species with economic and ecological importance in consultation with the communities/JFMC may be undertake as per MoRTH guideline by the User Agency.

  
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**Condition No. XIV**

Certified that, the user agency shall undertake with special attention for the roadside amenities such as toilet, bus shed, etc. as per the guideline of MoRTH, wherever necessary. For all such amenities, special needs of women & differently abled to be kept in mind.

  
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**Condition No. XV**

Certified that, 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.

  
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**Condition No. XVI**

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.

  
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**Condition No. XVII**

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

  
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**Condition No. XVIII**

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

  
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**Condition No. XIX**

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.

  
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**Condition No. XX**

Certified that, the User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.

  
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**Condition No. XXI**

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

  
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**Condition No. XXII**


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

  
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**Condition No. XXIII**

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.

  
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**Condition No. XXIV**

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.

  
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**Condition No. XXV**

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. XXVI**

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

  
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**Condition No. XXVII**

Certified that, as per Ministry's letter No. 11-30/96-FC(Pt) dt 14.09.2021, if the compliance of stipulated conditions is awaited from the State Govt for more than 5 (five) years, In-Principle Approval would be summarily revoked considering the user agency is no longer interested in the project.

  
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**Condition No. XXVIII**

Certified that, any other conditions that Regional Officer, Shillong, Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

  
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