

GOVERNMENT OF TRIPURA
FOREST DEPARTMENT

No.F. 6-1251/FC/For-2020/ 52800-807

Dated, the, 02nd March, 2021

ORDER

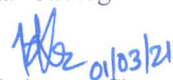
Sub: - Proposal for diversion of 0.99728 ha of forest land for construction of 33 KV overhead line from Ambassa to Jawaharnagar in favour of TSECL under District Forest Officer, Dhalai

After careful consideration of the proposal of Addl. General Manager & Nodal Officer, Transmission Circle, TSECL, Agartala conveys the approval in Principle in accordance with Section-2(ii) of Forest (Conservation) Act, 1980 for diversion of forest land measuring 0.99728 ha of forest land for construction of 33 KV overhead line from Ambassa to Jawaharnagar of mouja-Bagmara/Kathalbari for construction of 33 KV overhead line from Ambassa to Jawaharnagar under District Forest Officer, Dhalai subject to the following conditions:-

1. The Legal status of the forest land shall remain unchanged.
2. The compensatory afforestation shall be taken up by the Forest Department over double the degraded forest area of 2.00 ha in degraded forest land in Mouja-Sardingkhapara, CS Plot No.34, Kh. No.3/6 under Gumti Wildlife Sanctuary at the cost of user agency. As far as possible, mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
3. The State Govt shall charge the Net Present Value for the forest area to be diverted under the proposal from the User Agency as per the Judgment of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 & 09.05.2008 in IA No.566 in WP (C) No.202/1995 and as per the guideline issued by this Ministry vide letter No. 5-2/2006-FC dated 03.10.2006 No. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal to Ad-hoc CAMPA account of the State concerned.
4. The cost of the compensatory afforestation at the present prevailing wages as per the compensatory afforestation shall be deposited in the compensatory afforestation fund of Tripura State manage by the Adhoc CAMPA through e-portal in the account of the Ad-hoc CAMPA. The CA will be maintained for 10 years. The scheme may include appropriate provisions for anticipated cost increase for works scheduled for subsequent years.
5. Additional amount of 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 Govt. from the User Agency. The user agency shall furnish an undertaking to this effect.
6. All the funds received from the User Agency under the project towards compensatory levies shall be transferred/ deposited to Compensatory Afforestation Fund of Tripura State managed by the Ad-hoc CAMPA only through e-portal mode.
7. The User Agency shall bear and deposit the amount of the cost of demarcation of the land proposed for diversion directly to the concerned District Forest Officer. The concerned District Forest Officer shall demarcate the land proposed for diversion on the ground by erecting at least four feet high cement-concrete pillars duly numbered, forward and backward bearing and distance from pillar to pillar written on the pillars and DGPS co-ordinates to be inscribed on the pillars. The competent authority shall verify and issue a certificate to this effect. Photographs showing boundary pillars with GPS co-ordinates are to be submitted.
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 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 the forest land.
10. The expenditure like boundary walls, stone pillars, and demarcation charges cost of damage of trees the fund on these accounts should be deposited with DFO concerned.
11. The user agency shall restrict the felling of trees to minimum number in the diverted forest land and trees shall be felled under strict supervision of State Forest Department Forest and the cost of the felling of trees shall be deposited by the user agency with the State Forest Department.
12. The complete compliance to the Forest Right Act, 2006 shall be ensured by way of prescribed certificate from the concerned District collector.
13. 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.
14. The user agency shall comply with the guidelines for laying transmission line through forest areas issued by Ministry vide letter No.7-25/2012-FC dated 05.05.20214 & 19.11.2014.
15. The user agency shall obtain Environment Clearance as per the project provisions of the Environment (Protection) Act, 1986, if required under the said Act.
16. The lay out plan of the proposal shall not be changed without the prior approval of the Central Government.
17. No labour camp shall be established on the forest land.
18. 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 legal source of alternate fuel.
19. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
20. The forest land proposed to be diverted shall not be used for a purpose other than that specified in the proposal and under no circumstance be transferred to any other agency, department or person without prior approval of Govt. of India.
21. The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, riversand, riverboulders in forest land, if necessary.
22. As per Ministry's letter No.11-30/96-PC (pt) dt. 14.09.2001, if the compliance of stipulated conditions is awaited for more than 5 years, the in-principle approval would summarily be revoked considering that the user agency is no longer interested in the project.
23. 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 dt. 29/01/2018.
24. All other clearance/ NOCs under different applicable rules/ regulations / local laws under Forest Dwellers (Recognition of Forest Rights) Act, 2006 required vide MoEF, New Delhi guideline No.11-9/1998-FC(pt) dated 03.08.2009 shall be complied with.
25. Any other conditions that the North Eastern Regional Office, Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & Wildlife.
26. The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in>).
27. The Govt. shall consider granting final approval for the project after getting the compliance report against the stipulation mentioned above from the user agency.

This is in pursuance to the general approval under Section-2(ii) of Forest (Conservation) Act, 1980 and Forest (Conservation) Rules, 2003(Guidelines & Clarifications) Handbook 2019- Critical/ Strategic Defence Infrastructure.

 01/03/21
(Harshakumar C)

Joint Secretary
to the Government of Tripura

Copy to:-

1. The Principal Chief Conservator of Forests & HoFF, Tripura.
2. The Deputy Director General of Forests (Central), Ministry of Environment & Forests North Eastern Regional Office, Law-U-Sib, Lumbatngen, Near M.T.C. Workshop, Shillong 793021.
3. The Nodal Officer, FCA, O/O- the Principal Chief Conservator of Forests, Tripura
4. The District Magistrate & Collector, Dhalai District, Ambassa
5. The District Forest Officer, Dhalai District, Ambassa
6. The Sub-Divisional Magistrate, Gandacherra
7. The Wildlife Warden, Gandacherra
8. The Addl. General Manager, Transmission Circle, TSECL, 79 Tilla, Agartala


Joint Secretary

to the Government of Tripura