



सत्यमेव जयते

Government of India

Ministry of Environment, Forest & Climate Change,
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भारत सरकार

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
पूर्वोत्तर क्षेत्रीय कार्यालय, शिलांग
लॉड सीब लुम्बतंगेन
एम् टी सी के पास, शिलांग - ७९३०२१
क्स/Fax -0364- 2536041/2536983

F.No. 3- AS B 052/2019-SHI/604-08

6th June, 2019

सेवा मे,

अपर मुख्य सचिव / Additional Chief Secretary,
असम सरकार/ Government of Assam,
पर्यावरण और वन विभाग / Environment and Forest Department,
दिसपुर, गुवाहाटी -781006 / Dispur, Guwahati – 781006.

Sub : Diversion 1.483 hectare of forest land for construction of 400 KV D/C Silchar to Misa Transmission Line a part near Misa Sub Station by NER-II Transmission Limited.

Sir,

This has got reference to the State Government's letter FRS.55/2019/84 dated 18.03.2019 on the subject mentioned above, wherein prior approval of the Central Government for diversion of 1.483 hectare of forest land for construction of 400 KV D/C Silchar to Misa Transmission Line a part near Misa Sub Station by NER-II Transmission Limited, was sought in accordance with Section 2 of the FCA, 1980.

2. After careful consideration of the proposal of the State Government of Assam and additional information submitted vide letter dated 23.05.2019, I am to inform that **In-principle approval (IPA)** is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of **1.483 hectare** of forest land for construction of 400 KV D/C Silchar to Misa Transmission Line a part near Misa Sub Station by NER-II Transmission Limited, subject to the following conditions:

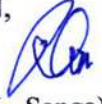
- (1) Legal status of the forest land shall remain unchanged.
- (2) The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years.
- (3) The User Agency shall transfer the cost of compensatory afforestation over double the area diverted i.e. **3.0 ha** in degraded forest land identified at Dobka RF under Nagan Division to the Adhoc CAMPA through e-payment and inform this office through the State Forest Department.
- (4) The State Government shall charge the Net Present Value of the forest area diverted 1.483 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 & 09.05.2008 in IA No. 566 in Writ Petition (Civil) No. 202/1995 and as per the guidelines issued by this Ministry vide its letter No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05.02.2009 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) The User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under 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.
- (7) 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.
- (8) All the funds received from the User Agency under the project shall be transferred/deposited to CAMPA fund only through e-portal.
- (9) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (10) The User Agency in consultation with the State Forest Department prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under the transmission line for execution of the said scheme to the State Forest Department.
- (11) 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.
- (12) The User Agency shall comply with the guidelines for laying transmission through forest areas issued by Ministry vide letter no. 7-25/2012-FC dated 05/05/2014 & 19/11/2014.
- (13) The User Agency shall obtain the Environmental Clearance under Environment (Protection) Act, 1986, if applicable.
- (14) The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for removal of stone, river sand, river boulders in forest land, if necessary.
- (15) The lay out of the proposal shall not be changed without the prior approval of the Central Government.
- (16) No labour camps shall be established on the forest land.
- (17) Sufficient firewood, preferably the alternative fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternative fuel.
- (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) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (21) 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.
- (22) 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 Guidelines F No. 11-42/2017-FC dated 29/01/2018.
- (23) 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.
- (24) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

2. After the receipt of the compliance report from the State Government on fulfillment of the conditions mentioned above, final/stage-II approval of the Central Government, in accordance with Section 2 of the Forest (Conservation) Act, 1980, will be considered. Till the receipt of the Final / Stage-II approval of the Central Government for diversion of the said forest land from this Ministry, transfer of the said forest land to the User Agency shall not be affected by the State Government.

This is issued with the approval of Addl. Director General (Central).

भवदीय,



(आर. एल. सांगा)/(R.L. Sanga)

उप वन महानिरीक्षक (केंद्रीय)/ Deputy Inspector General of Forests (C)

Copy to:

1. प्रधान मुख्य वन संरक्षक & HoFF/ Principal Chief Conservator of Forests & HoFF, असम सरकार/ Govt of Assam,, पर्यावरण और वन विभाग/ Environment and Forest Department , अन्या भवन / Aranya Bhawan, रोप कोवर ज्योति प्रसाद अग्रवाल पथ/ Rop Konwar Jyoti Prasad Agarwal Path, श्रीमंत शंकरदेव कालखेत्र के पास/ Near Srimanta Sankardev Kalakhetra , पंजाबारी/ Panjabari, गुवाहाटी / Guwahati-781037.



6/6/19

उप वन महानिरीक्षक (केंद्रीय)/ Deputy Inspector General of Forests (C)

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