



भारत सरकार
GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय
INTEGRATED REGIONAL OFFICE
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
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No. 3-TR C 081/2020-SHI/ 3905-06

19th March, 2021

सेवा मे,

सचिव/Secretary,

त्रिपुरा सरकार/ Government of Tripura

पर्यावरण और वन विभाग /Department of Environment & Forests,

कुंजावन, अगरतला/ Kunjaban, Agartala.

Sub: Proposal for diversion of 11.5514 Hectare of forest land for constructions of rural road from Hadukalak to AB road in PMGSY Scheme under DFO, Dhalai in Tripura by M/s Hindustan Steel Works construction Ltd.

Sir,

This has got reference to the State Government of Tripura letter No.F.6-1168/ FC/For-2018/ 822-26 dated 20.10.2020 and even No.1147-48 Dated 01.02.2021 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

2. After careful examination of the proposal of the State Government of Tripura and the additional information submitted vide their letter of even No.1744-45 dated 25.02.2021, the proposal was discussed in the Regional Empowered Committee (REC) in its 37th meeting held on 22.02.2021, the **In-principle / Stage-I approval** of the Central Government is hereby granted for diversion of **11.5514 Hectare** of forest land for construction of rural road from Hadukalak to AB road in PMGSY Scheme under DFO, Dhalai in Tripura by M/s Hindustan Steel Works Construction Ltd., subject to the following conditions:

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

1. 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. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned;
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;
3. The user agency shall transfer the cost of raising Avenue plantation on the road side with the State Forest Department;

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4. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA account only through e-portal(<https://parivesh.nic.in>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;
5. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);
6. **The State Govt shall submit details of Muck Dumping Plan with quantity of muck required for filling, embankment, balance and capacity of dumping sites for accommodating the muck etc, prior to issuance of Working Permission;**
7. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;
8. The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
9. 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;
10. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;

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:

1. Legal status of the diverted forest land shall remain unchanged;
2. Compensatory Afforestation shall be raised over double degraded forest area of i.e. **33 ha** double the degraded forest land in two patch i.e. **24 ha and 9 ha** in Jagabandhu Mouja, CS plot No. 9 Khatian No. 26, Gandacherra Range, Gumti Forest Division, in Dhalai District;
3. 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 the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
4. The User Agency shall obtain the Environment Clearance as per the provisions of Environment (Protection) Act, 1986, if required;
5. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
6. No damage to the flora and fauna of the adjoining area shall be caused;
7. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
8. 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;
9. 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;

10. The user agency shall undertake re-grassing of the muck dumping area and restore the land to a condition which is fit for growth of fodder, flora, fauna etc.

11. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year;

12. 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;

13. All other clearance/NOCs under different applicable rules/regulations /local laws and under Forest Dwellers (Recognition of Forest Rights)Act, 2006 as required vide MoEF, New Delhi guideline No.11-9/1998-FC(pt) dated 03.08.2009 shall be complied with;

14. As per Ministry's letter No 11-30/96-FC(Pt) dt 14.9.2001, 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 be revoked considering that the user agency is no longer interested in the project.

3. After receipt of the compliance report from the State Government on fulfilment of the conditions mentioned above, final approval will be issued in this regard. Formal transfer of forest land shall not be effected by the State Govt till final approval is granted by the Central Government.

भवदीय,

(W. I. Yatbon)

उप वन महानिरीक्षक (केंद्रीय)/

Deputy Inspector General of Forests (C)

Copy to:

1. प्रधान मुख्य वन संरक्षक, त्रिपुरा सरकार , पर्यावरण और वन विभाग , कुंजावन, अगरतला / Principal Chief Conservator of Forests, Govt. of Tripura, Department of Environment & Forests, Kunjaban, Agartala.

वन उप महानिरीक्षक (केंद्रीय)

/Deputy Inspector General of Forests (C)

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