

SPEED POST



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
NORTH EASTERN REGIONAL OFFICE
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1942-43

18th September, 2017

To

The Principal Secretary,
Environment & Forests Department,
Government of Assam,
Dispur, Guwahati.

Sub: Proposal for diversion of 10.583 ha of forest land in Borail Reserve Forest for construction of 4 (four) lane lanning Balacherra- Harangajao Section {244.00 km to 275.000 km under East West Corridor of NH-54(E)} of NH 54 (E) in favour of National Highways & Infrastructure Development Corporation Ltd.(NHDCIL) Dima Hasao District, Assam.

Sir,

This has reference to the State Govt letter No. FRS.149/2017/48 dated 20.04.2017 and No. FG.27/Nodal/Proposal/Road/Dima Hasao West Divn. dated 22.08.2017 on the subject mentioned above, seeking prior approval of the Central Government for diversion of 10.583 ha of forest land in Borail Reserve Forest for construction of 4 (four) lane lanning Balacherra- Harangajao Section {244.00 km to 275.000 km under East West Corridor of NH-54(E)} of NH 54 (E), Dima Hasao District, Assam in favour of National Highways & Infrastructure Development Corporation Ltd.(NHDCIL) in accordance with Section 2 of the FCA, 1980.

After careful consideration of the proposal of the State Government of Assam by the Regional Empowered Committee held on 15.09.2017 and its recommendation, I am to inform that **"In Principle Approval"** is hereby granted under Section 2 of the FCA, 1980 for diversion of 10.583 ha of forest land in Borail Reserve Forest for construction of 4 (four) lane lanning Balacherra- Harangajao Section {244.00 km to 275.000 km under East West Corridor of NH-54(E)} of NH 54 (E) in favour of **National Highways & Infrastructure Development Corporation Ltd.** (NHDCIL) Dima Hasao District, in the State of Assam subject to the following conditions:

- (i) The User agency shall transfer the cost of compensatory afforestation as estimated by State Forest Department over double the degraded forest land of 21 ha (i.e. 11 ha within the unclass State Forest of Diyungbra Range and 10 ha within Borail Reserve Forest, Compartment No. 1 of Harangajao Range) in Langting Mupa R.F. under Dima Hasao West Division in Haflong District to Adhoc CAMPA through State Forest Department.
- (ii) The State Govt shall charge the Net Present Value of the forest land diverted under this proposal from the User Agency as per the Judgment of the Hon'ble

Supreme Court of India dated 28.03.2008 & 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. 5-3/2001-FC dated 05.02.2009 in this regard.

- (iii) All the above funds received from the User Agency under the project shall be transferred preferably through RTGS in the newly opened State –specific saving Bank Account of the Ad-hoc CAMPA Fund (CAF) in New SB Account No CA SB01025200 of Corporation Bank, CGO Complex, Phase-I, Lodhi Road, New Delhi – 110 003 or Union Bank of India, Sunder Nagar Branch, New Delhi, 110003.
- (iv) The User Agency shall bear and deposit the amount of the cost of demarcation of the land proposed for diversion directly to the concerned Divisional Forest Officer. The concerned Divisional Forest Officer shall demarcate the land proposed for diversion on the ground by erecting at least 4' 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 permanent boundary pillars with GPS co-ordinates to be submitted.
- (v) 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.
- (vi) The certificates for the payment in respect to Sl. No. (iv) and (v) shall be furnished to this office by the user agency.
- (vii) The concerned DFO shall prepare the scheme for raising avenue plantation on both side of the road and the cost for which shall be borne by the user agency.
- (viii) The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person.
- (ix) The State Government shall ensure that the User agency, provide proper drainage, retaining wall and stabilization of side slope.
- (x) No labour camp shall be established on the forest land.
- (xi) The felling of numbers of trees on the forest land being diverted is to be reduced to the bare minimum if feasible, and the trees should be felled under strict supervision of State Forest Department.
- (xii) 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 other legal source of alternate fuel.
- (xiii) The lay out plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xiv) The user agency shall obtain the Environmental Clearance as per the provision of the Environment (Protection) Act, 1986, if required under the said Act.

- (xv) The user agency will have to obtain the Forest (Conservation) Act, 1980 clearance and environment clearance for removal, if any, of the stone, river sand, river boulders in forest land and incase from the non forest land, environmental clearance is required to be obtained from the competent authority.
- (xvi) All other clearances/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.

After receipt of the compliance report from the State Government on fulfillment 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 orders approving the diversion of forest land are issued by the Central Government.

This has the approval of Additional Principal Chief Conservator of Forests (Central).

Yours faithfully,

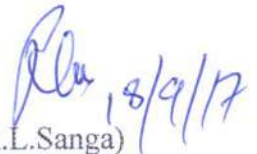


(R.L.Sanga)

Conservator of Forests(C)

Copy to:

- (i) The Principal Chief Conservator of Forests & HoFF, Government of Assam, Environment & Forests Department, Aranya Bhawan, Rop Konwar Jyoti Prasad Agarwal Path, Near Srimanta Sankardev Kalakheta, Panjabari, Guwahati -781037.



(R.L.Sanga)

Conservator of Forests(C)

o/c