

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Jor bagh Road, Aliganj
New Delhi- 110003
Dated:05-12-2024

To

The Principal Secretary (Forests),
Department of Environment, Forests and Climate Change,
Government of Arunachal Pradesh.
Itanagar.

Subject: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s. North Eastern Electric Power Corporation Limited (NEEPCO Ltd.) (A Govt. of India Enterprises) for non- forestry use of 59.90 ha. of forest land for implementation of 240 (MW) Heo Hydro Electric Project in Arunachal Pradesh (Online Proposal No. FP/AR/HYD/3548/2012)- regarding.

Sir/Madam,

I am directed to refer to the Government of Arunachal Pradesh's letter No. FOR.322/Cons./2010/6828-30 dated 19.11.2013 on the above mentioned subject, seeking prior approval of Central Government under Section-2 (iii) of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Advisory Committee (AC) constituted by the Central Government under Section- 3 of the said Act, '**in-principle**' approval to the proposal under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 was granted vide this Ministry's letter of even number dated 27.10.2015 and re-appropriation letter dated 26.07.2020 subsequently Ministry's letter dated 31.01.2024 of change of name of user agency subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Arunachal Pradesh vide their letter No. No.FOR322/Cons/2010/3312-15 dated 03rd July, 2024 which was received in this Ministry on 29.07.2024, letter No.FOR.322/Cons/2010/3866-69 dated 11.09.2024 which was received in the Ministry on 19.09.2024 and letter No. FOR.322/Cons/2010/4806-09 dated 08.11.2024, '**final / Stage- II approval**' of the Central Government is hereby granted under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s. North Eastern Electric Power Corporation Limited (NEEPCO Ltd.) (A Govt. of India Enterprises) for non-forestry use of 59.90 ha. of forest land for implementation of 240 (MW) Heo Hydro Electric Project in Arunachal Pradesh, subject to fulfillment of the following conditions:

- i. Legal status of the forest land shall remain unchanged;
- ii. The State Government shall ensure that work of Compensatory Afforestation shall start within two years of issue of Stage– II approval over already notified degraded forest land i.e. 114.40 ha at Jorji -Takke- Pujio Reserve Forest vide notification no. FOR.85/Gen/83 October, 1987 in lieu of the area proposed for Heo HEP (240 MW) and maintained thereafter as per approved CA plan by the State Forest Department at the cost of the User Agency. Further, as far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided;
- iii. The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale;
- iv. The State Government shall ensure that User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- v. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vi. Compensatory levies if so determined in future to be realized from the User Agency under the project shall be transferred/ deposited, through e-challan, in to the account of CAMPA pertaining to the State concerned through e-portal (<https://parivesh.nic.in/>);
- vii. The State Government shall ensure that KML files of proposed area for diversion and the CA area is uploaded on the e-Green watch portal with all requisite details prior to Stage II approval before handing over of land to the user agency;
- viii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- ix. The State Government shall ensure that process for settlement of rights under the Forest Rights Act, 2006 has been completed as per Rule 11 (7) of Handbook of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 issued by the Ministry in this regard on 29.12.2023;
- x. No labour camp shall be established on the forest land;
- xi. 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;
- xii. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
- xiii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xiv. The forest land shall not be used for any purpose other than that specified in

the proposal;

- xv. 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;
- xvi. No damage to the flora and fauna of the adjoining area shall be caused;
- xvii. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xviii. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- xix. The user agency shall set up Ecological Monitoring Unit to monitor the impact of the project on flora and fauna of the area;
- xx. Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees shall be felled under strict supervision of the State Forest Department;
- xxi. The user agency shall undertake afforestation along the periphery of the reservoir and canals (as applicable);
- xxii. The State Govt. shall ensure that the Catchment Area Treatment (CAT) Plan, prepared as a part of Environment Management Plan (EMP) for the purpose of obtaining environment clearance, be implemented by/or under the supervision of State Forest Department at the project cost;
- xxiii. The user agency shall carry out muck disposal at pre-designated sites in such a manner so as to avoid its rolling down;
- xxiv. The dumping area for muck disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department. Retaining walls and terracing shall be carried out to hold the dumping material in place. Stabilization and reclamation of such dumping sites shall be completed before handing over the same to the State Forest Department in a time bound manner as per Plan;
- xxv. The User agency shall consult organization(s) having experience in construction of roads in hilly areas to avoid frequent road blockade due to landslides etc. and shall provide breast walls and retaining walls wherever necessary;
- xxvi. The State Government and the user agency shall ensure that the tress available between full reservoir level (FRL) and FRL-4 meters are not felled;
- xxvii. The user agency shall provide free water for the forestry related projects;
- xxviii. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and User Agency;

- xxix. The State Government and User Agency shall ensure compliance to all conditions stipulated in the 'in-principle' approval letter dated 27.10.2015 and re-appropriation letter dated 26.07.2020 for which undertakings have been obtained from the user agency and also the provisions of the all the Acts, Rules, Regulations, complete compliance of FRA, 2006 and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, or the time being in force, including compliance of the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006, before handing over the forest land to the user agency; and
- xxx. 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 regularly;
- xxxi. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines and Clarifications on Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 as issued by this Ministry's letter dated 29.12.2023.

Yours faithfully,

Sd/-

(S. Sundar)

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservation of Forests (HoFF), Government of Arunachal Pradesh, Itanagar.
2. The APCCF-cum-Nodal Officer (Sanrakshan Evam Samvardhan) Adhinyam, 1980, Government of Arunachal Pradesh, Itanagar.
3. The DDGF (Central), Regional Office, Shillong of MoEF&CC.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi.