

IN THE HON'BLE NATIONAL GREEN TRIBUNAL,

EASTERN ZONE BENCH, KOLKATA

IN

ORIGINAL APPLICATION NO.112/2020/EZ

IN THE MATTER OF:

Dhanishwar Debnath

.....Applicant

Versus

Union of India &Ors

.....Respondent(s)

AND IN THE MATTER OF:

**Reply Affidavit on behalf of
Ministry of Environment, Forest &
Climate Change (Respondent No.
1)**

.....Respondent

INDEX

S.No.	Particulars	Page Nos.
1.	Reply Affidavit with Verification on behalf of Ministry of Environment, Forest & Climate Change.	1-26
2.	ANNEXURE R1 (A) (i) to (vi) True copies of proposal covering letters received from the state respondent	27-50
3.	ANNEXURE R1 (B) True copy of 34 th REC meeting	51-63
4.	ANNEXURE R1 (C) True copy of 35 th REC meeting	64-70
5.	ANNEXURE R1 (D) True copy of Ministry's letter No.FC-11/204/2020-FC dated 21.12.2020	71-74
6.	ANNEXURE R1 (E) True Copy of the 36 th REC meeting held on 11.01.2021	75-95
7.	ANNEXURE R1 (F) (i) to (vi) True copies of <i>In-principle/Stage-I</i> approvals	96-117
8.	ANNEXURE- R1(G). True copy of State Respondent letter No.F.3-14/ WP-I / W .P Gen / For – 2019 / 506, dated 05/07/2021.	118

9.	ANNEXURE- R1(H) Copy of the OM dated 08.08.2019	119-121
----	---	----------------

PLACE: SHILLONG

COUNSEL FOR RESPONDENT

DATE: 02/09/2021

**GORA CHAND ROY CHOUDHURY,
ADVOCATE, CENTRAL GOVT. STANDING COUNSEL,
STANDING COUNSEL FOR MOEF&CC, NGT, KOLKATA,
TEMPLE CHAMBER, ROOM NO. 35,
1ST FLOOR, 6 OLD POST OFFICE STREET, KOLKATA -700 001.**

Ph. 7998275572/98630416260

Email-gora.roychoudhury@gmail.com

IN THE HON'BLE NATIONAL GREEN TRIBUNAL,

EASTERN ZONE BENCH, KOLKATA

IN

ORIGINAL APPLICATION NO.112/2020/EZ

IN THE MATTER OF:

Dhanishwar Debnath

.....Applicant

-Versus-

Union of India &Ors

.....Respondent(s)

REPLY AFFIDAVIT ON BEHALF OF MINISTRY OF ENVIRONMENT,

FOREST AND CLIMATE CHANGE, RESPONDENT NO. 1

I, Shri Wyatt Iroye Yatbon, S/O.- R. T Thangkhiw, aged about – 48 years and presently working as Deputy Inspector General of Forests (Central), in the Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Shillong, (for short MOEF & CC), by profession – Central Govt. Service, and a Citizen of India, do, hereby, solemnly affirm and swear on oath

as follows :-




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest and Climate Change
North Eastern Region

Sl. Instrument No. 29
Date 02/09/2021

1. That I am holding the post of Deputy Inspector General of Forests (Central), in the Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Shillong, (for short MOEF & CC) and I have made myself acquainted with the facts and circumstances of this case as well as the official records placed before me and I have been duly authorized and empowered by the respondent No.- 1 to make and swear this affidavit for and on behalf of MoEF& CC and I am competent to do so.

2. That this respondent has gone through the Application and also the annexure being annexed therewith and accordingly has understood the contents / allegations / averments / statements and / or tenor thereof made in the Application. For the sake of brevity, what has been stated in the Application are not specifically admitted shall be deemed to have been denied by this answering respondent.




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Region

Statement of Facts

3. It is humbly submitted that the 'land' is a subject matter of State Government. The forest areas and the legal boundaries thereof are determined and maintained by the concerned State Government. That, inter alia, being the repository of land records, State Government has the primary responsibility to determine status of any parcel of land, giving due regards to gazette notifications, provisions under State and Central Acts and concerned judgements and directions of the Hon'ble Supreme Court.

4. That to provide for the conservation of forests and for matters connected therewith or ancillary or incidental thereto, the Parliament in the Thirty-First Year of the Republic of India enacted the Forest(Conservation) Act, 1980 ("FC Act", for short). FC Act came into force on 25th October, 1980.

5. That section 2 of the Forest (Conservation) Act, 1980 ('FC Act', for short

) provides that;




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

“Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing-

- i. *that any reserved forest (within the meaning of the expression “reserved forest” in any law for the time being in force in that State) or any portion thereof, shall cease to be reserved;*
- ii. *that any forest land or any portion thereof may be used for any non-forest purpose”*
- iii. *that any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organisation not owned managed or controlled by Government;*
- iv. *that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for reforestation.*



[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

6. That most of the averments made in the Original Application pertains to the State Respondent and the same may be testified by the State Government who is also the respondent in the instant matter as the land is under the control and management of the concerned State Government.

Para-wise Reply

7. That in response to the preliminary contents of the Application Para (1), (2) and (3), this replying respondent has no comment to offer.
8. That in response to the averments made in Para (4)1, (4)2 and (4)3 of the Application, this replying respondent has no comment to offer.
9. That in response to the averments made in Para (4)4 of the Application, the same is denied and disputed. In response, this answering respondent humbly submits that the State Government had submitted proposals under Section 2 of the Forest (Conservation) Act, 1980 for diversion of forest lands for resettlement of Bru migrants in Kanchanpur, North Tripura.
- With respect to all six (6) forest lands in question raised in the present




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

Application, this replying respondent had received proposals from the

State respondent which are as under:

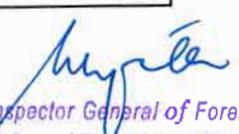
Sl no.	Proposal Name	Area in ha	Category	User Agency Name	Proposal received on
1.	Proposal for diversion of 10 ha forest land for resettlement of Bru migrants at location Bikramjoy para of mouja-Ujanmachmara RF in favour of SDM Kanchanpur under North District.	10	Rehabilitation	Sub-Divisional Magistrate, Kanchanpur	19.11.2020
2.	Proposal for diversion of 10 ha of forest land for resettlement of Bru Migrant in Nandirampara under UjanmachmaraMouja of Kanchanpur Sub-Division, North Tripura District	10	Rehabilitation	Sub-Divisional Magistrate, Kanchanpur	19.11.2020
3.	Proposal for diversion of 25.00 ha of forest land for resettlement	25	Rehabilitation	Sub-	19.11.2020



[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

	of Bru Migrants at Bhandarima of Mouja CCRF in favour of SDM, Kanchanpur under North Tripura District			Divisional Magistrate, Kanchanpur	
4.	Proposal for diversion of 25.00 ha of forest land for resettlement of Bru Migrants at Mouja- Gachirampara under Tehsil- Anandabazar, Subdivision- Kanchanpur, Dist.- North Tripura in favour of SDM, Kanchanpur.	25	Rehabilitation	Sub-Divisional Magistrate, Kanchanpur	19.11.2020
5.	Proposal for diversion of 25.00 ha forest land for resettlement of Bru Migrants at Mouja- CCRF in favour of SDM, Kanchanpur under North Tripura District.	25	Rehabilitation	Sub-Divisional Magistrate, Kanchanpur	19.11.2020
6.	Proposal for diversion of 25.00 ha of forest land for resettlement	25	Rehabilitation	Sub-Divisional	19.11.2020




 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

of Bru Migrant of Mouja-Manu- Chailengta RF in favour of SDM, Kanchanpur under North Tripura District		Magistrate, Kanchanpur	
--	--	---------------------------	--

True copies of proposal covering letters received from the state respondent are enclosed and marked as **ANNEXURE- R1(A) (i) to (vi), (Page no.....27 to50).**

10. That after seeking additional information/documents from the State Government and after careful examination of the proposals, the same were recommended for the 36th Regional Empowered Committee (hereinafter referred to as the 'REC') meeting which was held on 11.01.2021. It is also humbly submitted that prior to the 36th REC Meeting, the 34th and 35th REC Meeting were also held whereby discussions and deliberations were held with respect to the re-settlement of Bru migrants in other areas of Tripura (other than the areas in issue raised in the present Application).



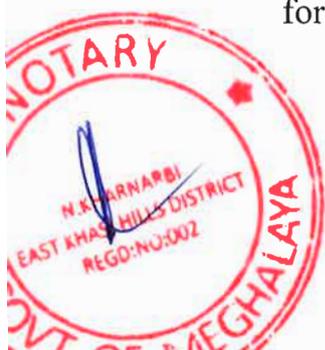
[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

In the 34th REC meeting, the members were informed about the importance of the agreement signed between the Govt. of India, Govt. of Tripura, Govt. of Mizoram and Bru Organisations and that the REC deliberated on para 1.16 of the guidelines of Forest (Conservation) Act, 1980 and Forest (Conservation) Rules, 2003 Handbook of 2019 which is reproduced as herein under:

'Diversion of forest land for rehabilitation:

Diversion of forest land for rehabilitation of people is normally not allowed. However, such diversion may be considered as a special case, if diversion of forest land is essentially required for the rehabilitation of persons belonging to Schedule Tribes, Schedule Castes and other people who may have to be shifted from the core zone of a national park, sanctuary or reserve.'

The REC asked the State Govt why the resettlement has not been done in the revenue land as the proposal is not site specific. The State Govt clarified that no large chunk of revenue land is available in the State for this purpose as most of the available revenue land are in small



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North

pockets. It was further clarified that there are no proposal for rehabilitation of displaced Bru in the revenue land.

That the REC also noted that this is a sensitive issue which unfortunately also involves a lot of human misery.

In the 35th REC meeting, the members expressed that the proposal is desired to be approved but the legal situation appears to be limited. The Secretary Revenue & DM, Govt of Tripura appealed to look into this issue based on the following grounds:-

On the legal ground it was agreed that the para 1.16 of the comprehensive guideline of MoEF&CC can be construed to be only as a suggestive direction and not a mandatory one since the same is neither part of the Rules nor the Act. The present proposal is one that cannot be compared to any preceding case that the MoEF&CC has dealt in the past and therefore may be dealt as a standalone case and that too with a special consideration. Under the Forest (Conservation) Rules 2003 under Section 7 (ii) the Committee set up for examining the cases 'shall give due



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Region, Chitlang

regard to all or any of the following matters while tendering its advice on the proposals referred to it", namely:-

"ii) whether the use of any forest land is for agricultural purposes or for the rehabilitation of persons displaced from their residences by reasons of any river valley or hydroelectric project."

That the REC observed that from the above, it is clear that positive consideration is prescribed to be made in circumstances where mass displacement of people resulted due to development cause. In this case, the displacement has occurred on account of mass exodus of the Bru Reangs for the fear of their lives and safety. The Secretary, Revenue, Govt. of Tripura had informed that the Bru people were originally from the forest hills of Mizoram, many of which have been notified as national parks, sanctuaries or reserve e.g. Dampa Tiger Reserve. The Secretary further informed that the details has been sought from the Government of Mizoram vide State Govt letter dated 26.11.2020. The Nodal Officer (FCA), Govt of Tripura further requested the REC for considering the proposals for sending to Ministry for approval of the competent authority




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

in view of para 1.15 of comprehensive guidelines of the Forest (Conservation) Act, 1980 which is reproduced as under:-

“1.15 A number of proposals for diversion of forest land for non-site-specific projects like industries, construction of residential colonies, institutes, disposal of fly ash, rehabilitation of displaced persons, etc. are received by the Central Government. Attention is drawn to items 1(iv) and 8 of the Form ‘A’ in which the proposal is to be submitted by the State Government. In these columns, justification for locating the project in the forest area giving details of the alternatives examined and reasons for their rejection has to be furnished. Normally, there should not be any justification for locating non-site-specific projects on forest land. Therefore, the State Government should scrutinize the alternatives in more details and must give complete justification establishing its inescapability for locating the project in forest area.”

The Nodal Officer agreed that the possibility of approving the proposal within the provisions of the Act and Guidelines is possible for the same with proper justification. The REC also agreed that it is a



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

humanitarian crisis that needs early resolution in the most compassionate manner. However, revision/relaxation of guidelines being beyond the scope and provision of the REC, the State Govt was requested to take up the matter at the highest level. Further it was discussed that Ministry may consider as a one-time approval in this case to solve the misery of the people involved. In the meantime State Govt was requested to bring out the justification of proposal in forest land instead of revenue land or non forest land with supporting documents until the further clarifications and for relaxation comes in the guideline.

That the REC were also informed that additional information is being sought from the Govt. of Mizoram. In recognizing the humanitarian crisis over the issue, the REC decided that:-

- i. State Govt to furnish further justification on the effort that was put into finding revenue land by the State Govt so as to make strong justification case for diversion as required.




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

- ii. The State Govt to provide a note on the admissibility of the proposal based on para 1.15 of the comprehensive guidelines of Forest (Conservation) Act, 1980 as discussed in REC.

True copies of 34th and 35 REC meeting is enclosed and marked as ANNEXURE- R1(B) and ANNEXURE R1 (C) (Page No.51.... to70.....).

11. That Ministry vide letter No.FC-11/204/2020-FC dated 21.12.2020 communicated the decision of the high-level meeting held under the chairmanship of the Union Secretary, Ministry of Home Affairs wherein it was informed by the State Government of Tripura that the Bru (Reang) migrants are forest dwellers from Mizoram and the same has been corroborated by Government of Mizoram and that they will be given permission to construct dwelling units without conferring any ownership of land. Therefore, de-notification of forest land may not be required. A decision was then taken that *'the diversion of forest land for resettlement/rehabilitation of the Bru (Reang) migrants must be*




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Region, Shillong

processed by MoEF&CC, GoI (as a special case in relaxation of the existing guidelines, if required) urgently as the agreement has to be implemented in a time bond manner''.

True copy of Ministry's letter No.FC-11/204/2020-FC dated 21.12.2020 is enclosed and marked as ANNEXURE R1 (D). (Page No.71... to74.....)

12. That the REC members took up the proposals in their 36th meeting on 11.01.2021. The REC members took up 9 proposals for resettlement of Bru migrants (6) of these proposals are the areas in question raised in the present Application). The REC reiterated what was discussed in its previous REC meeting about the importance of these proposals. The REC observed that the justification on the effort put by the State Govt into finding revenue land and steps to be taken by State Govt. to upset imminent pressure on surrounding forests immediately after rehabilitation has been provided satisfactorily by the State Govt in all 9 numbers of the


Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong



That thereafter the proposals were discussed as:-

- i. **AGENDA (8)** for **Nandirampara** under Ujanmachmara Mouja of
Kanchampur Sub-Division, North Tripura District.
- ii. **AGENDA (9)** for **Bikramjoy Para** of Mouja-Ujanmachmara RF in
favour of SDM Kanchampur under North District.
- iii. **AGENDA (10)** for **Mouja-CCRF** in favour of SDM Kanchampur
under North District.
- iv. **AGENDA (11)** for **Bhandarimamouja** CCRF in favour of SDM
Kanchampur under North District.
- v. **AGENDA (12)** for **Gachirampara** in favour of SDM Kanchampur
under North District.
- vi. **AGENDA (13)** for **Chailengta RF** in favour of SDM Kanchampur
under North District.

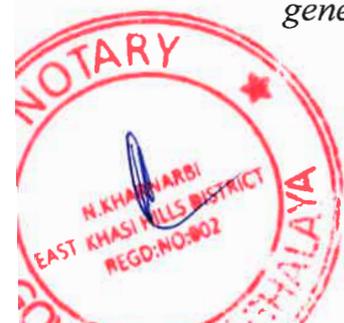
The REC members deliberated on the proposals regarding the legal status of the proposed land, the density of the proposed land, the cost of the project, the number of trees to be affected, the aerial distance of the proposed area from nearest Wild Life Sanctuary/National Parks etc. in which the same were discussed and accepted.


Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong



That the REC member also discussed and agreed on the justifications submitted by the State Government:-

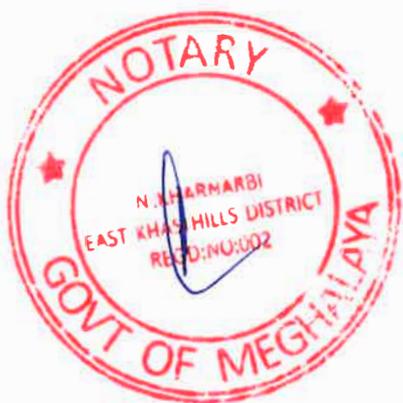
- i. Effort put by the State Government into finding revenue land and
- ii. Steps to be taken by the State Government to upset imminent pressure on surrounding forests immediately after rehabilitation which are reproduced as under:-
 - a. *Settlement location will be fenced to reduce strain on neighbouring areas.*
 - b. *MGNREGA cards will be provided to discourage jhuming and collection of forest produce.*
 - c. *Skill development training in traditional crafts, food processing and small scale industries are in the pipeline. Tailoring and beauty parlour has been preferred by the women for livelihood. Keeping this in mind, Government has also decided to produce the same to IDP women.*
 - d. *With high quality education and scholarship assured to the younger generation dependence on forest would eventually be minimal.*



[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

- e. *SHG formation under TRLM is contemplated.*
- f. *Ujjwala scheme for free LPG connection will be implemented for reducing dependence on firewood''.*

That after the discussions and deliberations on all 6 (six) proposals, based on the above measures committed by the State Government and additional suggestions from the REC which include chain-link fencing, ex-situ conservation, creation of Biodiversity Park etc, the REC recommended the same for diversion of forest land for resettlement of BRU migrant in favour of SDM Kanchanpur under North District with usual conditions for resettlement purposes.



True Copy of the 36th REC meeting held on 11.01.2021 is enclosed and marked as **ANNEXURE R1 (E) (Page No.....75... to95...)**

13. That subsequently, on the approval of Competent Authority of the MoEF&CC, GoI, New Delhi for IRO, Shillong to process the proposals

[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

as per FC Rules and after careful examination of the proposals of the State Government and after careful deliberation by the REC members in their 36th meeting in which the REC had recommended the same as a very special case, this answering respondent conveyed *In-principle/Stage-I* approval of the Central Government for diversion the six proposals under Kanchanpur sub-division, totalling 120 ha of forest land for resettlement of BRU in favour of Sub-Divisional Magistrate, Kanchanpur under North District subject to the conditions for compliance prior to handing over of forest land by the State Forest Department to the user agency, apart from conditions like Net Present Value (NPV), Compensatory Afforestation which involves ex-situ conservation, conservation of biodiversity, fencing around proposed diverted land amounting to Rs. 3.38 Crore approx. to ameliorate the impact of diversion. This answering respondent also stipulated the condition that after receipt of the compliance report from the State Government on fulfilment of the conditions mentioned in the *In-principle/Stage-I* approval, final approval will be issued in this regard.




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

True copies of *In-principle/Stage-I* approvals are enclosed and marked as **ANNEXURE R1(F) (i) to (vi) (Page No.96... to117...)**.

14. That in response to the averments made in Para (4)5, (4)6, (4)7, (4)8, (4)9, (4)10 and (4)11, of the Application, this replying respondent has no comment to offer.

15. That in response to the averments made in Para (4)12 of the Application is denied and disputed. In response, this replying respondent humbly relies on the earlier submissions made herein above, Para 9-13. For the sake of brevity, what has been submitted above is not reproduced herein.

16. That in response to the averments made in Para (4)13, (4)14, (4)15, (4)16 and (4)17 of the Application, this replying respondent has no comment to offer.




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

17. That in response to the averments made in Para (4) 18, (4) 19 a-g of the Application, is denied and disputed. In response, this replying respondent humbly relies on the earlier submissions made herein above, Para 9-13 i.e. the careful examination of the proposals, the discussions and deliberations held in the REC meeting and the decision arrived by this respondent in conveying *In-principle/Stage-I* approval under the Forest (Conservation) Act, 1980. For the sake of brevity, what has been submitted above is not reproduced herein.

18. That in response to the averments made in Para (4) 19 (h) of the Application, this replying respondent humbly submits that the Hon'ble Supreme Court in its Order dated 12.12.1996 had suspended the felling of trees in all forests except in accordance with the working plans of the State Governments which were approved by the Central Government. The issue of working plans were dealt extensively in the order dated 15.01.1998 whereby the Hon'ble Apex Court had directed that working plans for all Forest Divisions shall be prepared by the State Governments and got approved by the Government of India. In this regard, this replying



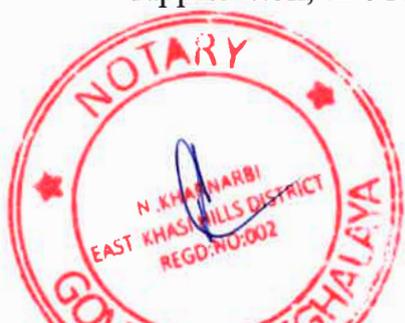
[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

respondent relies on the State Respondent's letter No.F.3-14/WP-I/W.P Gen/For-2019/506, dated 05/07/2021 wherein the area under considerations and surrounding areas are placed under scientific management and the Working Circle as per Working Plan Prescription is furnished with respect to all 6 (six) forest lands in question.

True copy of State Respondent letter No.F.3-14/
WP-I / W .P Gen / For – 2019 / 506, dated
05/07/2021 is enclosed and marked as **ANNEXURE-
R1(G). (Page No.118.)**

19. That in response to the averments made in Para (4)20 of the Application is denied and disputed. In response this replying respondent had received proposals from the State Government in respect of all 6 (six) forest land in question (**ANNEXURE R1(A) (i) to (vi) SUPRA**).

20. That in response to the averments made in Para (4)21 and (4)22 of the Application, this replying respondent has no comment to offer.




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

21. That in respect to the averments made in Para (4) 23 of the Application, this replying respondent humbly relies on the 36th REC meeting held on 11.01.2021 wherein the proposals were carefully examined right from legal status of the proposed land, the density of the proposed land, the cost of the project, the number of trees to be affected, the aerial distance of the proposed area from nearest Wild Life Sanctuary, the justifications submitted by the State Government etc. **(ANNEXURE R1/E (SUPRA))**.

22. That in response to the averments made in Para (4) 24, (4) 25, (4) 26, (4) 27, (4)28, (4)29, (4)30 and (4)31 of the Application, this replying respondent has no comment to offer.

23. That the Office Memorandum No. J. 11013/14/2006-IA. II (I) dated 02.12.2009 outlines the procedure for consideration of proposals for grant of environmental clearance under EIA Notification, 2006, which involves forest land and or wildlife habitat. However, the above Office Memorandum has been superseded vide Office Memorandum number 22-43/2018-IA.III dated 8.08.2019. That the Office Memorandum dated




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

08.08.2019 has been addressed to CPCB, Chairman of all EACs, Chairperson/Member Secretaries of all SEIAAs/SEACs and Chairpersons/ Member Secretaries of all SPCBs/ UTPCCs. Copy of the OM dated 08.08.2019 is enclosed and marked as **(ANNEXURE R1/H)**

(Page No.119.... to121....)

24. That in view of the forgoing submissions, the Reply Affidavit filed by the respondent No. - 1 be admitted and accepted by this Hon'ble Tribunal.

25. That the answering respondent craves leave of this Hon'ble Tribunal to file additional information, if any till pendent lite.

26. That in view of the forgoing submissions, the Hon'ble Tribunal may be pleased to pass such or further Orders as it may deem fit and proper in the given circumstances of this case.



Identified by:

 (Mr. G. R. MAJAW)
 ADVOCATE, SHILLONG

Solemnly Affirmed before me this Day
 On 02/09/2021 The deponent is identified
 By G. R. Majaw, Adv
 I Certify that the contents of the Affidavit
 are read over and Explained to the Deponent
 who verified the same before me


 02/09/2021
 NELSON KHARNARBI
 NOTARY
 East Khasi Hills District
 Government of Meghalaya

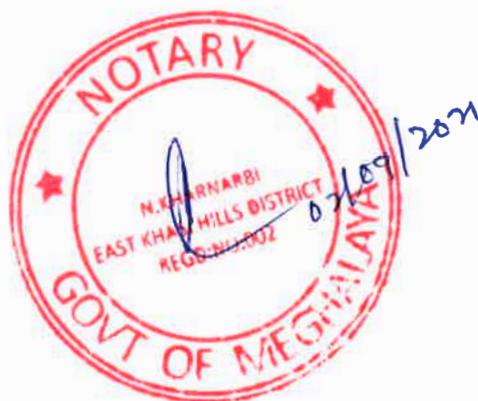

 DEPONENT

Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

VERIFICATION

I, the above named deponent do hereby verify that the contents of the above affidavit are true and correct to my knowledge and area based on official records and nothing material is concealed therein.

Verified at Shillong on this^{02nd}..... Day of September 2021.




DEPONENT

Deputy Inspector General of Forests (Control)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

ANNEXURE R1 (A) (i)

By Speed Post

No.F.6-1273-FC For-2020 §§A - 87
 Government of Tripura
 Forest Department

Dated, Agartala, the 28th October, 2020

To
 The Deputy Director General Forests (Central),
 Ministry of Environment, Forests & Climate Change
 North Eastern Regional Office, Law-U-Sib,
 Lumbatngen, Near M.T.C. Workshop,
 Shillong- 793021

Subject: - Proposal for diversion of 10.00 ha forest land for resettlement of Bru migrants at location Bikromjoypara of mouja -Ujannachmara RF in favour of SDM Kanchanpur under North District
 Proposal No.: - FP/TR/REHAB/50628/2020

Sir,

I am directed to send herewith a proposal received from the Sub-Divisional Magistrate, Kanchanpur seeking clearance u/s 2 (ii) of the Forest (Conservation) Act, 1980 for settlement of Bru migrant at location Bikromjoypara of mouja -Ujannachmara RF under North District.

2. **Brief Description:** - This proposal submitted by the user agency seeks diversion of 10.00 ha forest land for resettlement of Bru migrants at location Bikromjoypara of mouja -Ujannachmara RF in favour of SDM Kanchanpur under North District for resettlement of Bru migrant at mouja- Bikromjoypara in favour of SDM, Kanchanpur under North District as per land description given in the Part-I of Form-"A". The User Agency has intimated that the area proposed for diversion is for resettlement of Bru migrant at location Bikromjoypara of mouja -Ujannachmara RF

Government of India has been making efforts in consultation with Governments of Tripura and Mizoram and BRU Organizations for settlement of Bru displaced persons from Mizoram and presently living in camps in Tripura. An Agreement was signed on 3rd July 2018 for their repatriation to Mizoram. 328 families with 1,369 persons repatriated to Mizoram after the agreement. A large number of the remaining families have shown unwillingness to repatriate to Mizoram and want to settle down in Tripura.

The Government of Tripura has shown willingness to settle the willing Brus in Tripura. Their settlement in Tripura has also been agreed to by the BRU Organizations and the Government of Mizoram. The option to BRU families to repatriate to Mizoram as per agreement of 3rd July 2018 will continue. A copy of the agreement between Government of India, Government of Tripura, Government of Mizoram and BRU representative organizations is enclosed.

The user Agency has examined two alternative sites for the said BRU Migrants within same plots under Kanchanpur Sub-Division but rejected due to forest patta land issues, cultural mismatch, high density cover and there is no proper road connectivity. The two alternative locations were explored for settlement of Bru migrant, but it was not found suitable. The User Agency has submitted STOTED (RoFR) Act/09 Certificate as per format.

However it is not a site specific project, absence of non-forestland in the vicinity makes the proposal for diversion amply justified.

3. **Details of forestland proposed for diversion:-** The land particulars in respect of the forest land proposed for diversion are annexed with Part-I of the Form-"A". Purpose wise break up has been enclosed in Part-I of the Form-"A". The total land involved in the project is 10.00 ha only out of this the forest land in the State of Tripura is as follows:-

(a) RF	- 10.00
(b) P.F.	- Nil
(c) Unclassed	- nil
(d) Village forests	- Nil
(e) Private forest	- Nil
Total	10.00 ha

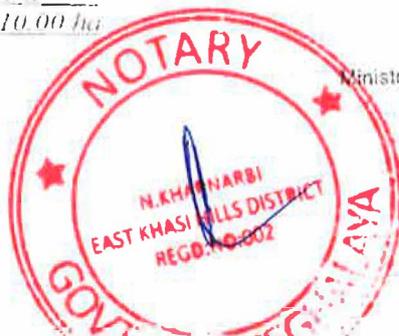
Diary No 1810

Date 19-11-2020

GOVT OF TRIPURA

Ministry of Environment, Forest & Climate Change
 Regional Office Shillong

Contd. P. 3



[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India, Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

Forest land identified for proposed BRU Migrants

District	Forest Sub-Division	Range	Block No.	Compartment	Area in ha	Working Circle	Felling/treatment series
North	Kanchanpur	Kanchanpur	-	-	10.00	-	-

Maps enclosed:- The user agency has furnished the following maps along with the diversion proposals:

- (i) Vandyke map showing the location of proposed project in the State and Mouja map for raising compensatory afforestation
- (ii) Topo Sheet showing the location of proposed site as well as Compensatory Afforestation site
- (iii) Soft copy of (.shp) shape file over the proposed land for diversion.
- (iv) Soft copy of (.shp) shape file over the Compensatory Afforestation land.

4. **Assessment of Forest Stock:** - The forest area is situated in the Dist.F., North of the State. The forest area is situated under Kanchanpur Forest Sub-Division of the State. The proposed area covered with 284 nos trees such as 14 nos Tectona grandis, 50 nos Syzgium cumini, 35 nos Cassia fistula, 38 nos Albizia procera, 147 nos others. The details of tree enumerations have been enclosed with Part-II of Form-A. The density of the vegetation is given below -

District Forest Office, North: The ruling crown density is 0.65 and assessed ecological class for the proposed diversion site is Class I (Tropical Moist Deciduous Forests). The NPV will be charged @ Rs. 9.39 lakh per ha.

5. **Flora and Fauna and archaeological importance:** - The area does not form a part of National Park/ Sanctuary or Biosphere Reserve, Sample or preservation plot. Also there is no principal species of flora and fauna, endemic, threatened species. Moreover, the area does not have importance from archeological view point. No rare/ endangered/ unique species of Flora and Fauna found in the proposed area for diversion of forest land during site inspection. No protected archaeological/ heritage site/ defense establishment or any other important monument located in the area. The nearest distance from the Rowa wildlife sanctuary is 14.25 km.

6. **Compensatory Afforestation:** - The forest land to be diverted for the above project is 10.00 ha. Double degraded forest land has been selected for Compensatory Afforestation. The details are as follow:-

Forest land identified for Compensatory Afforestation

District	Forest Sub-Division	Range	Block	Com part ment	Area in ha	Working Circle	Felling/ treatment series
North	Dharm managar	Parti sagar	-	-	20.00	-	-
					20.00		

The map showing the above identified land, has been enclosed with the diversion proposal. The identified double degraded forest land for raising Compensatory Afforestation forms 1 patches, comprising area 20.00 ha.

The above area is proposed to be covered under plantation. The District Forest Office has drawn up compensatory Afforestation with a financial outlay of Rs. 66,84,600/-. The compensatory afforestation scheme and envisage plantation over 20.00 ha of forest land.



Contd. P.4


 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Region Office, Shillong



The Dist.F.O. North has given certificate regarding suitability of land for Compensatory Afforestation and User Agency has given undertaking to bear the cost of compensatory afforestation over 20.00 ha. The User Agency has furnished undertaking to deposit the amount of CA scheme, etc after the Stage-I clearance under FCA is granted.

It is not proposed to impose condition of penal afforestation, since violation of FCA has not been committed.

7. **Displacement of Human Population:** - No human population is being displaced owing to the project.

8. **Environmental Clearance:** - The environmental clearance is not required as intimated by the User Agency in Form-A Part-I.

9. **Cost benefits analysis:** - The cost benefit analysis is enclosed with the proposal.

10. **Violation of Forest (Conservation) Act/ Indian Forest Act:** -

There has been no violation of FCA in respect of instant proposal. So, the State Government does not propose for imposing condition for penal Afforestation.

11. **Recommendation of the State Government:-** Recommendations of the Nodal Officer, FCA and the State Government are submitted in part IV & V of the Form-"A" respectively and these are enclosed with the proposal. The Assessing Officers have not made any adverse comment on the proposal and it has been suitably commented upon by senior officers. The proposed diversion site is not a part of National Park, Sanctuary, Biosphere Reserve, Sample or Preservation Plot, Ecologically fragile zone. The proposal is not going to affect any endemic species of flora and fauna. The project will also not adversely affect timber, fuel wood and MFP supply to rural masses. Since there is no violation of FCA, 1980, so the State Govt. does not propose for imposing condition for penal afforestation, in the instant proposal. The District Forest Officer, North recommended the proposal with the following conditions:-

- i. The damage to the forest during construction activities should be minimum and also without effecting the adjacent patches of plantation forests.
- ii. Parts of the area proposed for diversion are prone to soil erosion if needed the user agency should bear the expenditure incurred for soil stabilization measures and also to avoid the soil erosion and landslides during construction.
- iii. An interpretation centre based on the Natural Heritage of the specific area may be created at Kanchanpur Sanghati Eco Park an amount of **Rs. 50.00 lakhs** may be placed for the same from the user agency for the purpose.
- iv. There needs proper fencing of the proposed diversion with chain link fencing, the tentative estimate towards the chain link fencing would be **Rs. 18.12 lakhs** which may be placed by the user agency.
- v. Only the requirement number of trees that needs to be felled during the implementation of the project.

12. I would, therefore, request you to kindly convey the approval of the Ministry of Environment & Forests, Government of India u/s 2(ii) of the Forest (Conservation) Act 1980 for diversion of the forest land in question in favour of the Sub-Divisional Magistrate, Kanchanpur.

Yours faithfully,

Encl:-As stated above


 (Harshakumar C)
 Joint Secretary
 to the Government of Tripura

List of Enclosures:-

1. Form -A comprising Part-I, Part-II, Part-III, Part-IV & Part-V
2. Site inspection report of Dist.F.O. North
3. Land statement




 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

- 74
4. Certificate for minimum requirement of area
 5. Toposheet map
 6. Vendyke Mouja map
 7. Toposheet
 8. Undertakings
 9. Copy of uploading the proposal
 10. Others

Copy to:-

1. The Principal Chief Conservator of Forests & HoFF, Tripura for information please.
2. The Chief Conservator of Forests (T), FHQ for kind information.
3. The Secretary, Revenue Deptt., Government of Tripura for kind information.
4. The District Forest Officer, North for information please.
5. The Sub-Divisional Forest Officer, Kanchanpur for information please.
6. The Sub-Divisional Magistrate, Kanchanpur for information please.

PK
28.10.20

Joint Secretary
to the Government of Tripura



Shyam
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

By Speed Post

No.F.6-1278/FC/For-2020/874-80
Government of Tripura
Forest Department

Dated, Agartala, the 28th October, 2020

To
The Deputy Director General Forests (Central),
Ministry of Environment, Forests & Climate Change
North Eastern Regional Office, Law-U-Sib,
Lumbatngen, Near M.T.C. Workshop,
Shillong- 793021

Subject: - Proposal for diversion of 10.00 ha forest land for resettlement of Bru migrants at location Nandirampara of mouja -Ujanmachmara RF in favour of SDM Kanchanpur under North District
Proposal No.:- FP/TR/REHAB/50707/2020

Sir,

I am directed to send herewith a proposal received from the Sub-Divisional Magistrate- Kanchanpur seeking clearance u/s 2 (ii) of the Forest (Conservation) Act, 1980 for settlement of Bru migrant at location Nandirampara of mouja -Ujanmachmara RF under North District.

2. **Brief Description:** - This proposal submitted by the user agency seeks diversion of 10.00 ha forest land for resettlement of Bru migrants at location Nandirampara of mouja -Ujanmachmara RF in favour of SDM Kanchanpur under North District for resettlement of Bru migrant at location Nandirampara in favour of SDM, Kanchanpur under North District as per land description given in the Part-I of Form "A". The User Agency has intimated that the area proposed for diversion is for resettlement of Bru migrant at location Nandirampara of mouja -Ujanmachmara RF.

Government of India has been making efforts in consultation with Governments of Tripura and Mizoram and BRU Organizations for settlement of Bru displaced persons from Mizoram and presently living in camps in Tripura. An Agreement was signed on 3rd July 2018 for their repatriation to Mizoram. 328 families with 1,369 persons repatriated to Mizoram after the agreement. A large number of the remaining families have shown unwillingness to repatriate to Mizoram and want to settle down in Tripura.

The Government of Tripura has shown willingness to settle the willing Brus in Tripura. Their settlement in Tripura has also been agreed to by the BRU Organizations and the Government of Mizoram. The option to BRU families to repatriate to Mizoram as per agreement of 3rd July 2018 will continue. A copy of the agreement between Government of India, Government of Tripura, Government of Mizoram and BRU representative organizations is enclosed.

The user Agency has examined two alternative sites for the said BRU Migrants within same plots under Kanchanpur Sub-Division but rejected due to forest patta land issues, cultural mismatch, high density cover and there is no proper road connectivity. The two alternative locations were explored for settlement of Bru migrant, but it was not found suitable. The User Agency has submitted STOFFD (RoFR) Act.06 Certificate as per format.

However it is not a site specific project, absence of non-forestland in the vicinity makes the proposal for diversion amply justified.

3. **Details of forestland proposed for diversion:-** The land particulars in respect of the forest land proposed for diversion are annexed with Part-I of the Form "A". Purpose wise break up has been enclosed in Part-I of the Form "A". The total land involved in the project is 10.00 ha only out of this the forest land in the State of Tripura is as follows:-

(a) RF	- 10.00
(b) P.F.	- Nil
(c) Unclassed	- nil
(d) Village forests	- Nil
(e) Private forest	- Nil
<u>Total :</u>	<u>10.00 ha</u>

Diary No 1862

Date 19-11-2020



Ministry of Education & Skill Change

Contd. P. 3

Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

Forest land identified for proposed BRU Migrants

District	Forest Sub-Division	Range	Block No.	Compartment	Area in ha	Working Circle	Felling/ treatment series
North	Kanchanpur	Kanchanpur	-	-	10.00	-	-

Maps enclosed:- The user agency has furnished the following maps along with the diversion proposals:

- Vendyke map showing the location of proposed project in the State and Mouja map for raising compensatory afforestation
- Topo Sheet showing the location of proposed site as well as Compensatory Afforestation site
- Soft copy of (.shp) shape file over the proposed land for diversion.
- Soft copy of (.shp) shape file over the Compensatory Afforestation land.

4. **Assessment of Forest Stock:** - The forest area is situated in the Dist.F.O. North of the State. The forest area is situated under Kanchanpur Forest Sub-Division of the State. The proposed area covered with 209 nos trees such as 65 nos Syzigium cumini, 10 nos Tectona grandis, 7 nos Albizia procera, 94 nos Others. Gmelin arborea. The details of tree enumerations have been enclosed with Part-II of Form-A. The density of the vegetation is given below:-

District Forest Office, North:- The ruling crown density is 0.5 and assessed ecological class for the proposed diversion site is Class I (Tropical Moist Deciduous Forests). The NPV will be charged @ Rs. 9.39 lakh per ha.

5. **Flora and Fauna and archaeological importance:** - The area does not form a part of National Park Sanctuary or Biosphere Reserve. Sample or preservation plot. Also there is no principal species of flora and fauna, endemic, threatened species. Moreover, the area does not have importance from archeological view point. No rare/ endangered/ unique species of Flora and Fauna found in the proposed area for diversion of forest land during site inspection. No protected archaeological/ heritage site/ defense establishment or any other important monument located in the area. The nearest distance from the Rowa wildlife sanctuary is 14.25 km.

6. **Compensatory Afforestation:** - The forest land to be diverted for the above project is 10.00 ha. Double degraded forest land has been selected for Compensatory Afforestation. The details are as follow:-

Forest land identified for Compensatory Afforestation

District	Forest Sub-Division	Range	Block	Com part ment	Area in ha	Working Circle	Felling/ treatment series
North	Dharm managar	Pani sagar	-	-	20.00	-	-
					20.00		

The map showing the above identified land, has been enclosed with the diversion proposal. The identified double degraded forest land for raising Compensatory Afforestation forms 1patches, comprising area 20.00 ha.

The above area is proposed to be covered under plantation. The District Forest Office has drawn up compensatory Afforestation with a financial outlay of Rs. 66.84.600/-. The compensatory afforestation scheme and envisage plantation over 20.00 ha of forest land.



Contd. P.4


 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

76

P.4

The Dist.F.O, North has given certificate regarding suitability of land for Compensatory Afforestation and User Agency has given undertaking to bear the cost of compensatory afforestation over 20.00 ha. The User Agency has furnished undertaking to deposit the amount of CA scheme, etc after the Stage-I clearance under FCA is granted.

It is not proposed to impose condition of penal afforestation, since violation of FCA has not been committed.

7. **Displacement of Human Population:** - No human population is being displaced owing to the project.
8. **Environmental Clearance:** - The environmental clearance is not required as intimated by the User Agency in Form-A Part-I.
9. **Cost benefits analysis:** - The cost benefit analysis is enclosed with the proposal.
10. **Violation of Forest (Conservation) Act/ Indian Forest Act:** -

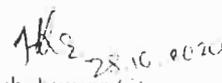
There has been no violation of FCA in respect of instant proposal. So, the State Government does not propose for imposing condition for penal Afforestation.

11. **Recommendation of the State Government:-** Recommendations of the Nodal Officer, FCA and the State Government are submitted in part IV & V of the Form-"A" respectively and these are enclosed with the proposal. The Assessing Officers have not made any adverse comment on the proposal and it has been suitably commented upon by senior officers. The proposed diversion site is not a part of National Park, Sanctuary, Biosphere Reserve, Sample or Preservation Plot, Ecologically fragile zone. The proposal is not going to affect any endemic species of flora and fauna. The project will also not adversely affect timber, fuel wood and MFP supply to rural masses. Since there is no violation of FCA, 1980, so the State Govt. does not propose for imposing condition for penal afforestation, in the instant proposal. The District Forest Officer, North recommended the proposal with the following conditions:-

- i. The damage to the forest during construction activities should be minimum and also without effecting the adjacent patches of plantation/ forests.
 - ii. Parts of the area proposed for diversion are prone to soil erosion if needed the user agency should bear the expenditure incurred for soil stabilization measures and also to avoid the soil erosion and landslides during construction.
 - iii. For additional protection measures there are requirement of patrolling vehicles under North Tripura, so fund of **Rs. 21 lakhs** may be placed by the user agency for vehicles and also for other protection related gears.
 - iv. There needs proper fencing of the proposed land for diversion with chain link fencing, the tentative estimate towards the chain link fencing would be **Rs. 21 lakhs** which may be placed by the user agency.
 - v. Only the requirement number of trees that needs to be felled during the implementation of the project.
12. I would, therefore, request you to kindly convey the approval of the Ministry of Environment & Forests, Government of India u/s 2(ii) of the Forest (Conservation) Act 1980 for diversion of the forest land in question in favour of the Sub-Divisional Magistrate, Kanchanpur.

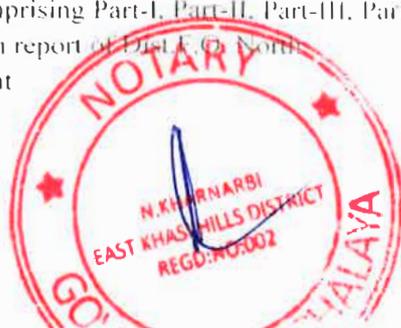
Yours faithfully,

Encl:-As stated above


(Harshakumar C)
Joint Secretary
to the Government of Tripura

List of Enclosures:-

1. Form -A comprising Part-I, Part-II, Part-III, Part-IV & Part-V
2. Site inspection report of Dist.F.O, North
3. Land statement




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

4. Certificate for minimum requirement of area
5. Toposheet map
6. Vendyke Mouja map
7. Toposheet
8. Undertakings
9. Copy of uploading the proposal
10. Others

Copy to:-

1. The Principal Chief Conservator of Forests & HoFF, Tripura for information please.
2. The Chief Conservator of Forests (T), FHQ for kind information.
3. The Secretary, Revenue Deptt., Government of Tripura for kind information.
4. The District Forest Officer, North for information please.
5. The Sub-Divisional Forest Officer, Kanchanpur for information please.
6. The Sub-Divisional Magistrate, Kanchanpur for information please.

28.10.2020
Joint Secretary

to the Government of Tripura



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

By Speed Post

No.F.6-1277/FC/For-2020/904-910.
Government of Tripura
Forest Department

Dated, Agartala, the 28th October, 2020

To
The Deputy Director General Forests (Central),
Ministry of Environment, Forests & Climate Change
North Eastern Regional Office, Law-U-Sib,
Lumbatngen, Near M.T.C. Workshop,
Shillong- 793021

Subject: - Proposal for diversion of 25.00 ha forest land for resettlement of Bru migrants at location Bhandarima of mouja- CCRF in favour of SDM Kanchanpur under North District
Proposal No.:- FP/TR/REHAB/50713/2020

Sir,

I am directed to send herewith a proposal received from the Sub-Divisional Magistrate, Kanchanpur seeking clearance u/s 2 (ii) of the Forest (Conservation) Act, 1980 for settlement of Bru migrant at location Bhandarima of mouja- CCRF under North District.

2. Brief Description: - This proposal submitted by the user agency seeks diversion of 25.00 ha forest land for resettlement of Bru migrant at location Bhandarima in favour of SDM, Kanchanpur under North District as per land description given in the Part-I of Form-"A". The User Agency has intimated that the area proposed for diversion is for resettlement of Bru migrant at location Bhandarima.

Government of India has been making efforts in consultation with Governments of Tripura and Mizoram and BRU Organizations for settlement of Bru displaced persons from Mizoram and presently living in camps in Tripura. An Agreement was signed on 3rd July 2018 for their repatriation to Mizoram. 328 families with 1,369 persons repatriated to Mizoram after the agreement. A large number of the remaining families have shown unwillingness to repatriate to Mizoram and want to settle down in Tripura.

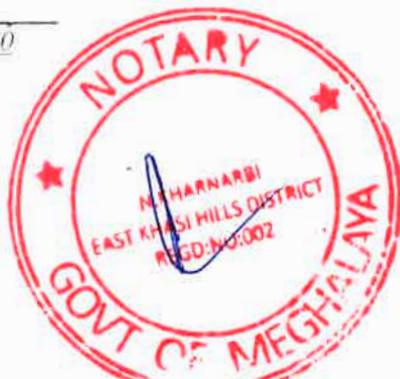
The Government of Tripura has shown willingness to settle the willing Brus in Tripura. Their settlement in Tripura has also been agreed to by the BRU Organizations and the Government of Mizoram. The option to BRU families to repatriate to Mizoram as per agreement of 3rd July 2018 will continue. A copy of the agreement between Government of India, Government of Tripura, Government of Mizoram and BRU representative organizations is enclosed.

The user Agency has examined two alternative sites for the said BRU Migrants at Mouja CCRF in CS plot No.6751/P under Kanchanpur Sub-Division but rejected due to forest patta land issues and there is no proper road connectivity. The two alternative locations were explored for settlement of Bru migrant, but it was not found suitable. The User Agency has submitted STOTFD (RoFR) Act.06 Certificate as per format.

However it is not a site specific project, absence of non-forestland in the vicinity makes the proposal for diversion amply justified.

3. Details of forestland proposed for diversion:- The land particulars in respect of the forest land proposed for diversion are annexed with Part-I of the Form-"A". Purpose wise break up has been enclosed in Part-I of the Form-"A". The total land involved in the project is 25.00 ha only out of this the forest land in the State of Tripura is as follows:-

(a) RF	- 25.00
(b) P.F.	- Nil
(c) Unclassed	- Nil.
(d) Village forests	- Nil.
(e) Private forest	- Nil
<u>Total :</u>	<u>25.00</u>



Diary No 1806

Date 19-11-2020

Change
Contd. P.2
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

80

The map showing the above identified land, has been enclosed with the diversion proposal. The identified degraded forest land for raising Compensatory Afforestation forms 2 patches, comprising area 53.4 ha. The District Forest Officer, North submitted two estimates for raising compensatory afforestation over 53.4 ha of forest land as per feasibility. According to his estimate he will plant total 50,000 nos saplings over 53.4 ha of forest land. He also mentioned that total number of saplings will be planted is 45000 (a 1000 saplings per ha through AR over 45.00 ha forest land. Remaining 5000 plants will be planted over 8.4 ha of degraded forest land (5000 @ 596 sapling per ha).

The above area is proposed to be covered under plantation. The District Forest Office has prepared estimate for compensatory Afforestation with a financial outlay of Rs.1,72,16,150/-. The compensatory afforestation scheme and envisage block plantation over 53.4 ha of degraded forest land. The Dist.F.O. North has given certificate regarding suitability of land for Compensatory Afforestation and User Agency has given undertaking to bear the cost of compensatory afforestation. The User Agency has furnished undertaking to deposit the amount of CA scheme, etc after the Stage-I clearance under FCA is granted.

It is not proposed to impose condition of penal afforestation, since violation of FCA has not been committed.

8. **Displacement of Human Population:** - No human population is being displaced owing to the project.

9. **Environmental Clearance:** - The environmental clearance is not required as intimated by the User Agency in Form-A Part-I.

10. **Cost benefits analysis:** - The cost benefit analysis is enclosed with the proposal

11. **Violation of Forest (Conservation) Act/ Indian Forest Act:** -

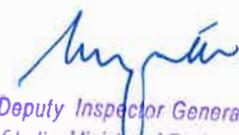
There has been no violation of FCA in respect of instant proposal. So, the State Government does not propose for imposing condition for penal Afforestation.

12. **Recommendation of the State Government:-** Recommendations of the Nodal Officer, FCA and the State Government are submitted in part IV & V of the Form-"A" respectively and these are enclosed with the proposal. The Assessing Officers have not made any adverse comment on the proposal and it has been suitably commented upon by senior officers. The proposed diversion site is not a part of National Park, Sanctuary, Biosphere Reserve, Sample or Preservation Plot, Ecologically fragile zone. The proposal is not going to affect any endemic species of flora and fauna. The project will also not adversely affect timber, fuel wood and MFP supply to rural masses. Since there is no violation of FCA, 1980, so the State Govt. does not propose for imposing condition for penal afforestation, in the instant proposal. The District Forest Officer North recommended the proposal with the following conditions -

- i. The damage to the forest during construction activities should be minimum and also without effecting the adjacent patches of plantation/ forests.
- ii. Parts of the area proposed for diversion are prone to soil erosion if needed the user agency should bear the expenditure incurred for soil stabilization measures and also to avoid the soil erosion and landslides during construction.
- iii. A butterfly based natural interpretation centre at Kanchanpur sub division for an amount of **Rs. 40.00 lakhs** for the conservations of the various butterflies and natural heritage and for the creation of awareness among the people which may be placed by the user agency for the purpose.
- iv. Further for patrolling in and around of the area since the area has never been occupied by human habitation, there are fears that there may be some possible to damage to forest in and around, so there shall be requirement of vehicle for patrolling, preferably a four wheel drive vehicle, along with other instrument such as chain saw, water proof rope, portable generator set etc. for an amount of **Rs.21 lakhs**, which may be placed by the user agency.
- v. There needs proper fencing of the proposed diversion with chain link fencing. the tentative estimate towards the chain link fencing would be **Rs. 36.24 lakhs** which may be placed by the user agency.
- vi. Only the requirement number of trees that needs to be felled during the implementation of the project.

Contd. P.3




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

77

P. 7

13. I would, therefore, request you to kindly convey the approval of the Ministry of Environment & Forests, Government of India u/s 2(ii) of the Forest (Conservation) Act 1980 for diversion of the forest land in question in favour of the Sub-Divisional Magistrate, Kanchanpur.

Encl:-As stated above

Yours faithfully,



(Harshakumar C)

Joint Secretary

to the Government of Tripura

List of Enclosures:-

1. Form -A comprising Part-I, Part-II, Part-III, Part-IV & Part-V
2. Site inspection report of Dist.F.O, North
3. Land statement
4. Certificate for minimum requirement of area
5. Toposheet map
6. Vendyke Mouja map
7. Toposheet
8. Undertakings
9. Copy of uploading the proposal
10. Others

Copy to:-

1. The Principal Chief Conservator of Forests & HoFF, Tripura for information please.
2. The Chief Conservator of Forests (T), FHQ for kind information.
3. The Secretary, Revenue Deptt., Government of Tripura for kind information.
4. The District Forest Officer, North for information please.
5. The Sub-Divisional Forest Officer, Kanchanpur for information please.
6. The Sub-Divisional Magistrate, Kanchanpur for information please.

 28.10.2020
Joint Secretary

to the Government of Tripura




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

ANNEXURE R1 (A) (iv)

39

By Speed Post

No.F.6-1279/FC/For-2020/ 867-73
Government of Tripura
Forest Department

Dated, Agartala, the 28th October, 2020

To
The Deputy Director General Forests (Central),
Ministry of Environment, Forests & Climate Change
North Eastern Regional Office, Law-U-Sib,
Lumbatngen, Near M.T.C. Workshop,
Shillong- 793021

Subject: - Proposal for diversion of 25.00 ha forest land for resettlement of Bru migrants of mouja- Gachirampara in favour of SDM Kanchanpur under North District
Proposal No. - FP/TR/REHAB/50745/2020

Sir,

I am directed to send herewith a proposal received from the Sub-Divisional Magistrate, Kanchanpur seeking clearance u/s 2 (ii) of the Forest (Conservation) Act, 1980 for settlement of Bru migrant of mouja- Gachirampara under North District.

2. **Brief Description:** - This proposal submitted by the user agency seeks diversion of 25.00 ha forest land for resettlement of Bru migrants of mouja- Gachirampara in favour of SDM Kanchanpur under North District for resettlement of Bru migrant in favour of SDM, Kanchanpur under North District as per land description given in the Part-I of Form-"A". The User Agency has intimated that the area proposed for diversion is for resettlement of Bru migrant of mouja- Gachirampara.

Government of India has been making efforts in consultation with Governments of Tripura and Mizoram and BRU Organizations for settlement of Bru displaced persons from Mizoram and presently living in camps in Tripura. An Agreement was signed on 3rd July 2018 for their repatriation to Mizoram. 328 families with 1,369 persons repatriated to Mizoram after the agreement. A large number of the remaining families have shown unwillingness to repatriate to Mizoram and want to settle down in Tripura.

The Government of Tripura has shown willingness to settle the willing Brus in Tripura. Their settlement in Tripura has also been agreed to by the BRU Organizations and the Government of Mizoram. The option to BRU families to repatriate to Mizoram as per agreement of 3rd July 2018 will continue. A copy of the agreement between Government of India, Government of Tripura, Government of Mizoram and BRU representative organizations is enclosed.

The user Agency has examined two alternative sites for the said BRU Migrants in CS plot No.529 P of Gachiramram mouja under Kanchanpur Sub-Division but rejected due to forest patta issue and there is no proper road connectivity. The two alternative locations were explored for settlement of Bru migrant, but it was not found suitable. The User Agency has submitted STOTFD (RoFR) Act,06 Certificate as per format.

However it is not a site specific project, absence of non-forestland in the vicinity makes the proposal for diversion amply justified.

3. **Details of forestland proposed for diversion:-** The land particulars in respect of the forest land proposed for diversion are annexed with Part-I of the Form-"A". Purpose wise break up has been enclosed in Part-I of the Form-"A". The total land involved in the project is 25.00 ha only out of this the forest land in the State of Tripura is as follows:-

- (a) PRF - Nil
- (b) P.F. - Nil
- (c) Unclassed - 25.00
- (d) Village forests - Nil
- (e) Private forest - Nil
- Total : 25.00

Diary No 1854

Date 19-11-2020

GOVT. OF INDIA
Ministry of Environment, Forests & Climate Change
Regional Office, Shillong

Contd. P.2



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forests & Climate Change
North Eastern Regional Office, Shillong

Forest land identified for proposed BRU Migrants

District	Forest Sub-Division	Range	Rev. CS Plot No.	Compartment	Area in ha	Working Circle	Felling/ treatment series
North	Kanchanpur	-	-	-	25.00	-	-

4. **Maps enclosed:-** The user agency has furnished the following maps along with the diversion proposals:

- Vendyke map showing the location of proposed project in the State and Mouja map for raising compensatory afforestation
- Topo Sheet showing the location of proposed site as well as Compensatory Afforestation site
- Soft copy of (.shp) shape file over the proposed land for diversion.
- Soft copy of (.shp) shape file over the Compensatory Afforestation land.

4. **Assessment of Forest Stock:-** The forest area is situated in the Dist.F.O. North of the State. The forest area is situated under Kanchanpur Forest Sub-Division of the State. The proposed area covered with 18 nos trees which is enclosed with the part-II of the proposal. The details of tree enumerations have been enclosed with Part-II of Form-A. The trees are 7 nos Artocarpus heterophyllus, 1 no. Gmelin arborea, 8 nos Mangifera indica, 2 nos Tamarindus indica. The density of the vegetation is given below:-

District Forest Office, North:- The ruling crown density is 0.2 and assessed ecological class for the proposed diversion site is Class I (Tropical Moist Deciduous Forests). The NPV will be charged @ Rs. 7.30 lakh per ha.

5. **Flora and Fauna and archaeological importance:-** The area does not form a part of National Park/ Sanctuary or Biosphere Reserve, Sample or preservation plot. Also there is no principal species of flora and fauna, endemic, threatened species. Moreover, the area does not have importance from archeological view point. No rare/ endangered/ unique species of Flora and Fauna found in the proposed area for diversion of forest land during site inspection. No protected archaeological/ heritage site/ defense establishment or any other important monument located in the area.

6. **Compensatory Afforestation:-** The forest land to be diverted for the above project is 25.00 ha. Degraded forest land has been selected for Compensatory Afforestation. The details are as follow:-

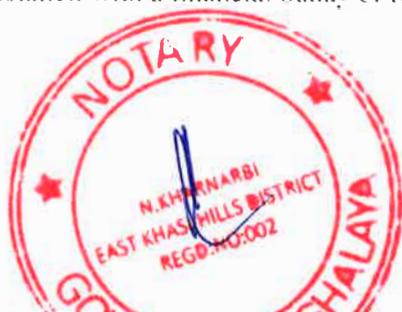
Forest land identified for Compensatory Afforestation

District	Forest Sub-Division	Range	Block	Compartment	Area in ha	Working Circle	Felling/ treatment series
North	Kanchanpur	Damcherra	-	-	25.00	-	-
		Panisagar	-	-	25.00	-	-
Total					50.00 ha		

The map showing the above identified land, has been enclosed with the diversion proposal. The identified degraded forest land for raising Compensatory Afforestation forms 1 patches, comprising area 50.00 ha.

The above area is proposed to be covered under plantation. The District Forest Office has drawn up compensatory Afforestation with a financial outlay of Rs. 1,67,11,500.-.

Contd. P. 3



Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

(84)

P.3

The Dist.F.O. North has given certificate regarding suitability of land for Compensatory Afforestation and User Agency has given undertaking to bear the cost of compensatory afforestation over 50.00 ha. The User Agency has furnished undertaking to deposit the amount of CA scheme, etc after the Stage-I clearance under FCA is granted.

It is not proposed to impose condition of penal afforestation, since violation of FCA has not been committed.

7. **Displacement of Human Population:** - No human population is being displaced owing to the project.
8. **Environmental Clearance:** - The environmental clearance is not required as intimated by the User Agency in Form-A Part-I.
9. **Cost benefits analysis:** - The cost benefit analysis is enclosed with the proposal.
10. **Violation of Forest (Conservation) Act/ Indian Forest Act:** -

There has been no violation of FCA in respect of instant proposal. So, the State Government does not propose for imposing condition for penal Afforestation.

11. Recommendation of the State Government:- Recommendations of the Nodal Officer, FCA and the State Government are submitted in part IV & V of the Form-"A" respectively and these are enclosed with the proposal. The Assessing Officers have not made any adverse comment on the proposal and it has been suitably commented upon by senior officers. The proposed diversion site is not a part of National Park, Sanctuary, Biosphere Reserve, Sample or Preservation Plot, Ecologically fragile zone. The proposal is not going to affect any endemic species of flora and fauna. The project will also not adversely affect timber, fuel wood and MFP supply to rural masses. Since there is no violation of FCA, 1980, so the State Govt. does not propose for imposing condition for penal afforestation, in the instant proposal. The District Forest Officer, North recommended the proposal with the following conditions:-

1. The damage to the forest during construction activities should be minimum and also without effecting the adjacent patches of plantation/ forests.
 2. Parts of the area proposed for diversion are prone to soil erosion if needed the user agency should bear the expenditure incurred for soil stabilization measures and also to avoid the soil erosion and landslides during construction.
 3. Efforts are to be taken towards Ex situ conservation under Tripura to salvage the bio diversity loss in lieu of the said project, so a fund of **Rs.40 lakhs** may be placed by the user agency.
 4. There needs proper fencing of the proposed diversion with chain link fencing, the tentative estimate towards the chain link fencing would be **Rs. 34.00 lakhs** which may be placed by the user agency.
 5. Only the requirement number of trees that needs to be felled during the implementation of the project.
12. I would, therefore, request you to kindly convey the approval of the Ministry of Environment & Forests, Government of India u/s 2(ii) of the Forest (Conservation) Act 1980 for diversion of the forest land in question in favour of the Sub-Divisional Magistrate, Kanchanpur.

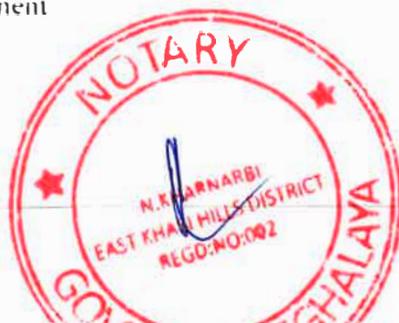
Yours faithfully,

Encl:-As stated above

(Harshakumar C)
Joint Secretary
to the Government of Tripura

List of Enclosures:-

1. Form -A comprising Part-I, Part-II, Part-III, Part-IV & Part-V
2. Site inspection report of Dist.F.O. North
3. Land statement



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

Contd. by

24

4. Certificate for minimum requirement of area
5. Toposheet map
6. Vandyke Mouja map
7. Toposheet
8. Undertakings
9. Copy of uploading the proposal
10. Others

Copy to:-

1. The Principal Chief Conservator of Forests & HoFF, Tripura for information please.
2. The Chief Conservator of Forests (T), FHQ for kind information.
3. The Secretary, Revenue Deptt., Government of Tripura for kind information.
4. The District Forest Officer, North for information please.
5. The Sub-Divisional Forest Officer, Kanchanpur for information please.
6. The Sub-Divisional Magistrate, Kanchanpur for information please.

TK 28.10.20

Joint Secretary
to the Government of Tripura




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

ANNEXURE R1 (A) (v)

By Speed Post

No.F-6-1276/FC For-2020/ 888 - 94

Government of Tripura
Forest DepartmentDated Agartala, the 28th October, 2020

To
The Deputy Director General Forests (Central),
Ministry of Environment, Forests & Climate Change
North Eastern Regional Office, Law-U-Sib,
Lumbatngen, Near M.T.C. Workshop,
Shillong- 793021

Subject: - Proposal for diversion of 25.00 ha forest land for resettlement of Bru migrants of mouja- CCRF in favour of SDM Kanchanpur under North District

Proposal No.:- FP/TR/REHAB/50666/2020

Sir,

I am directed to send herewith a proposal received from the Sub-Divisional Magistrate- Kanchanpur seeking clearance u/s 2 (ii) of the Forest (Conservation) Act, 1980 for settlement of Bru migrant of mouja- CCRF under North District.

2. Brief Description: - This proposal submitted by the user agency seeks diversion of 25.00 ha forest land for resettlement of Bru migrant of mouja- CCRF in favour of SDM, Kanchanpur under North District as per land description given in the Part-I of Form-"A". The User Agency has intimated that the area proposed for diversion is for resettlement of Bru migrant of mouja- CCRF.

Government of India has been making efforts in consultation with Governments of Tripura and Mizoram and BRU Organizations for settlement of Bru displaced persons from Mizoram and presently living in camps in Tripura. An Agreement was signed on 3rd July 2018 for their repatriation to Mizoram. 328 families with 1,369 persons repatriated to Mizoram after the agreement. A large number of the remaining families have shown unwillingness to repatriate to Mizoram and want to settle down in Tripura.

The Government of Tripura has shown willingness to settle the willing Brus in Tripura. Their settlement in Tripura has also been agreed to by the BRU Organizations and the Government of Mizoram. The option to BRU families to repatriate to Mizoram as per agreement of 3rd July 2018 will continue. A copy of the agreement between Government of India, Government of Tripura, Government of Mizoram and BRU representative organizations is enclosed.

The user Agency has examined two alternative sites for the said BRU Migrants at location CCRF of CS plot No.4446/P, 4585/P under Kanchanpur Sub-Division but rejected due to forest patta land issues and the location site is terrain and is not suitable for settlement. The two alternative locations were explored for settlement of Bru migrant, but it was not found suitable. The User Agency has submitted STOTED (RoFR) Act.06 Certificate as per format.

However it is not a site specific project, absence of non-forestland in the vicinity makes the proposal for diversion amply justified.

3. Details of forestland proposed for diversion:- The land particulars in respect of the forest land proposed for diversion are annexed with Part-I of the Form-"A". Purpose wise break up has been enclosed in Part-I of the Form-"A". The total land involved in the project is 25.00 ha only out of this the forest land in the State of Tripura is as follows:-

(a) RF	- 25.00
(b) P.F.	- Nil
(c) Unclassed	- Nil
(d) Village forests	- Nil
(e) Private forest	- Nil
<u>Total</u>	<u>25.00</u>

Diary No 1881

Date 19-11-2020

Ministry of Environment, Forests & Climate Change



Contd. P-2
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

Forest land identified for proposed BRU Migrants

District	Forest Sub-Division	Range	Rev. CS Plot No.	Compartment	Area in ha	Working Circle	Felling/treatment series
North	Kanchanpur	Kanchanpur	4928/P	-	25.00	-	-

4. **Maps enclosed:-** The user agency has furnished the following maps along with the diversion proposals:

1. Vendyke map showing the location of proposed project in the State and Mouja map for raising compensatory afforestation
2. Topo Sheet showing the location of proposed site as well as Compensatory Afforestation site
3. Soft copy of (.shp) shape file over the proposed land for diversion.
4. Soft copy of (.shp) shape file over the Compensatory Afforestation land.

5. **Assessment of Forest Stock:-** The forest area is situated in the Dist.F.O. North of the State. The forest area is situated under Kanchanpur Forest Sub-Division of the State. The proposed area covered with 783 nos trees such as Gmelin arborea 114 nos, 60 nos Albizia spp., 251 nos Tectona grandis, 125 nos albizia procera, 11 nos bombax ceiba, 222 nos others. The details of tree enumeration list have been enclosed with Part-II of Form-A. The density of the vegetation is given below:-

District Forest Office, North:- The ruling crown density is 0.65 and assessed ecological class for the proposed diversion site is Class I (Tropical Moist Deciduous Forests). The NPV will be charged @ Rs. 9.39 lakh per ha.

6. **Flora and Fauna and archaeological importance:-** The area does not form a part of National Park/ Sanctuary or Biosphere Reserve. Sample or preservation plot. Also there is no principal species of flora and fauna, endemic, threatened species. Moreover, the area does not have importance from archeological view point. No rare/ endangered/ unique species of Flora and Fauna found in the proposed area for diversion of forest land during site inspection. No protected archaeological/ heritage site/ defense establishment or any other important monument located in the area. The nearest distance of proposed land for diversion is 51 km from the boundary of the Rowa Wildlife Sanctuary.

7. **Compensatory Afforestation:-** The forest land to be diverted for the above project is 25.00 ha. Degraded forest land has been selected for Compensatory Afforestation. The details are as follow:-

Forest land identified for Compensatory Afforestation

District	Forest Sub-Division	Range	Block	Compartment	Area in ha	Working Circle	seedlings to be planted
North	Kanchanpur	Damcherra	-	-	70.00	-	(a total of 50000 nos seedlings shall be planted @715 nos seedlings per ha through ANR)
					70.00		



Contd. P 3

Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

The map showing the above identified land, has been enclosed with the diversion proposal. The identified degraded forest land for raising Compensatory Afforestation forms 1 patches, comprising area 70.00 ha. The District Forest Officer, North submitted estimate for raising compensatory afforestation as per feasibility. According to his estimate he will plant total 50,000 nos saplings over 70.00 ha of forest land. He also mentioned that total number of saplings shall be planted is 50000 @ 715 saplings per ha through ANR.

The above area is proposed to be covered under plantation. The District Forest Office has prepared estimate for compensatory Afforestation with a financial outlay of Rs.1,96,82,333/-. The compensatory afforestation scheme and envisage plantation over 70.00 ha of forest land. The Dist.F.O. North has given certificate regarding suitability of land for Compensatory Afforestation and User Agency has given undertaking to bear the cost of compensatory afforestation. The User Agency has furnished undertaking to deposit the amount of CA scheme, etc after the Stage-I clearance under FCA is granted.

It is not proposed to impose condition of penal afforestation, since violation of FCA has not been committed.

8. **Displacement of Human Population:** - No human population is being displaced owing to the project.

9. **Environmental Clearance:** - The environmental clearance is not required as intimated by the User Agency in Form-A Part-I.

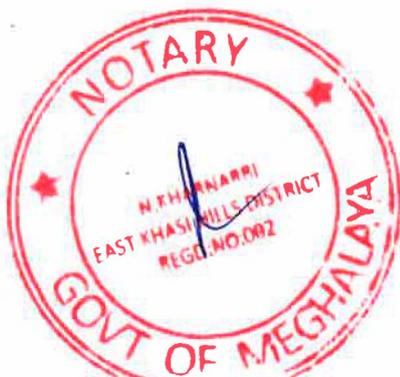
10. **Cost benefits analysis:** - The cost benefit analysis is enclosed with the proposal.

11. **Violation of Forest (Conservation) Act/ Indian Forest Act:** -

There has been no violation of FCA in respect of instant proposal. So, the State Government does not propose for imposing condition for penal Afforestation.

12. **Recommendation of the State Government:-** Recommendations of the Nodal Officer, FCA and the State Government are submitted in part IV & V of the Form-"A" respectively and these are enclosed with the proposal. The Assessing Officers have not made any adverse comment on the proposal and it has been suitably commented upon by senior officers. The proposed diversion site is not a part of National Park, Sanctuary, Biosphere Reserve, Sample or Preservation Plot, Ecologically fragile zone. The proposal is not going to affect any endemic species of flora and fauna. The project will also not adversely affect timber, fuel wood and MFP supply to rural masses. Since there is no violation of FCA, 1980, so the State Govt. does not propose for imposing condition for penal afforestation, in the instant proposal. The District Forest Officer North recommended the proposal with the following conditions:-

- i. The damage to the forest during construction activities should be minimum and also without effecting the adjacent patches of plantation forests.
- ii. Parts of the area proposed for diversion are prone to soil erosion if needed the user agency should bear the expenditure incurred for soil stabilization measures and also to avoid the soil erosion and landslides during construction.
- iii. As a special effort towards ex situ conservation an amount of **Rs.20.00 lakhs** which may be placed by the user agency for the purpose.
- iv. Further for patrolling in and around of the area there shall be a requirement of vehicle(TATA-407 4 wheel drive) along with other instrument such as chain saw, water proof rope, portable generator set etc. for an amount of **Rs.21 lakhs**, which may be placed by the user agency.
- v. There needs proper fencing of the proposed diversion with chain link fencing, the tentative estimate towards the chain link fencing would be **Rs. 21.00 lakhs** which may be placed by the user agency.
- vi. Only the requirement number of trees that needs to be felled during the implementation of the project.



[Handwritten Signature]

Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

Contd. P.4

13. I would, therefore, request you to kindly convey the approval of the Ministry of Environment & Forests, Government of India u/s 2(ii) of the Forest (Conservation) Act 1980 for diversion of the forest land in question in favour of the Sub-Divisional Magistrate, Kanchanpur.

Encl:-As stated above

Yours faithfully,

(Harshakumar C)

Joint Secretary

to the Government of Tripura

List of Enclosures:-

1. Form -A comprising Part-I, Part-II, Part-III, Part-IV & Part-V
2. Site inspection report of Dist.F.O, North
3. Land statement
4. Certificate for minimum requirement of area
5. Toposheet map
6. Vendyke Mouja map
7. Toposheet
8. Undertakings
9. Copy of uploading the proposal
10. Others

Copy to:-

1. The Principal Chief Conservator of Forests & HoFF, Tripura for information please
2. The Chief Conservator of Forests (T), FHQ for kind information.
3. The Secretary, Revenue Deptt., Government of Tripura for kind information.
4. The District Forest Officer, North for information please
5. The Sub-Divisional Forest Officer, Kanchanpur for information please.
6. The Sub-Divisional Magistrate, Kanchanpur for information please.

Joint Secretary

to the Government of Tripura



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

ANNEXURE R1 (A) (vi)

By Speed post

No.F.6-1274/FC/For-2020/911-917
 Government of Tripura
 Forest Department

Dated, Agartala, the 28th October, 2020

To
 The Deputy Director General Forests (Central),
 Ministry of Environment, Forests & Climate Change
 North Eastern Regional Office, Law-U-Sib,
 Lumbatngen, Near M.T.C. Workshop,
 Shillong- 793021

Subject: - Proposal for diversion of 25.00 ha forest land for resettlement of Bru migrants of mouja- Manu-Chailengta RF in favour of SDM Kanchanpur under North District
 Proposal No.:- FP/TR/REHAB/50604/2020

Sir,

I am directed to send herewith a proposal received from the Sub-Divisional Magistrate-Kanchanpur seeking clearance u/s 2 (ii) of the Forest (Conservation) Act, 1980 for settlement of Bru migrant of mouja- Manu-Chailengta RF under North District.

2. Brief Description: - This proposal submitted by the user agency seeks diversion of 25.00 ha forest land for resettlement of Bru migrant of mouja- Manu-Chailengta RF in favour of SDM, Kanchanpur under North District as per land description given in the Part-I of Form-"A". The User Agency has intimated that the area proposed for diversion is for resettlement of Bru migrant of mouja- Manu-Chailengta RF.

Government of India has been making efforts in consultation with Governments of Tripura and Mizoram and BRU Organizations for settlement of Bru displaced persons from Mizoram and presently living in camps in Tripura. An Agreement was signed on 3rd July 2018 for their repatriation to Mizoram. 328 families with 1,369 persons repatriated to Mizoram after the agreement. A large number of the remaining families have shown unwillingness to repatriate to Mizoram and want to settle down in Tripura.

The Government of Tripura has shown willingness to settle the willing Brus in Tripura. Their settlement in Tripura has also been agreed to by the BRU Organizations and the Government of Mizoram. The option to BRU families to repatriate to Mizoram as per agreement of 3rd July 2018 will continue. A copy of the agreement between Government of India, Government of Tripura, Government of Mizoram and BRU representative organizations is enclosed.

The user Agency has examined two alternative sites for the said BRU Migrants under Kanchanpur Sub-Division but rejected due to forest patta land issues and there is no proper road connectivity. The two alternative locations were explored for settlement of Bru migrant, but it was not found suitable. The User Agency has submitted STOTFD (RoFR) Act.06 Certificate as per format.

However it is not a site specific project, absence of non-forestland in the vicinity makes the proposal for diversion amply justified.

3. Details of forestland proposed for diversion:- The land particulars in respect of the forest land proposed for diversion are annexed with Part-I of the Form-"A". Purpose wise break up has been enclosed in Part-I of the Form-"A". The total land involved in the project is 25.00 ha only out of this the forest land in the State of Tripura is as follows:-

(a) RF	- 25.00
(b) P.F.	- Nil
(c) Unclassed	- Nil
(d) Village forests	- Nil
(e) Private forest	- Nil
<u>Total</u>	<u>25.00</u>



Diary No 1808

Date 19-11-2020

To Change

Contd. P.2

Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

Forest land identified for proposed BRU Migrants

District	Forest Sub-Division	Range	Rev. CS Plot No.	Compartment	Area in ha	Working Circle	Felling/treatment series
North	Kanchanpur	Kanchanpur	252/P	-	25.00	-	-

4. **Maps enclosed:-** The user agency has furnished the following maps along with the diversion proposals:

- i. Vandyke map showing the location of proposed project in the State and Mouja map for raising compensatory afforestation
- ii. Topo Sheet showing the location of proposed site as well as Compensatory Afforestation site
- iii. Soft copy of (.shp) shape file over the proposed land for diversion.
- iv. Soft copy of (.shp) shape file over the Compensatory Afforestation land.

5. **Assessment of Forest Stock:-** The forest area is situated in the Dist.F.O. North of the State. The forest area is situated under Kanchanpur Forest Sub-Division of the State. The proposed area covered with 171 nos trees such as 62 nos Gmelin arborea, 10 nos Bombax ceiba, 48 nos Albizia procera, 51 nos Pterrospermum acerifolia. The details of tree enumeration list have been enclosed with Part-II of Form-A. The density of the vegetation is given below:-

District Forest Office, North:- The ruling crown density is 0.55 and assessed ecological class for the proposed diversion site is Class 1(Tropical Moist Deciduous Forests). The NPV will be charged @ Rs. 9.39 lakh per ha.

6. **Flora and Fauna and archaeological importance:-** The area does not form a part of National Park/ Sanctuary or Biosphere Reserve, Sample or preservation plot. Also there is no principal species of flora and fauna, endemic, threatened species. Moreover, the area does not have importance from archeological view point. No rare/ endangered/ unique species of Flora and Fauna found in the proposed area for diversion of forest land during site inspection. No protected archaeological heritage site defense establishment or any other important monument located in the area. The nearest distance of proposed land for diversion is 32.34 km from the boundary of the Rowa Wildlife Sanctuary.

7. **Compensatory Afforestation:-** The forest land to be diverted for the above project is 25.00 ha. Degraded forest land has been selected for Compensatory Afforestation. The details are as follow:-

Forest land identified for Compensatory Afforestation

District	Forest Sub-Division	Range	Block	Compartment	Area in ha	Working Circle	seedlings to be planted
North	Kanchanpur	Damcherra	-	-	70.00	-	(a total of 50000 nos seedlings shall be planted @ 715 nos seedlings per ha through ANR)
					70.00		



Contd P 3

Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

The map showing the above identified land, has been enclosed with the diversion proposal. The identified degraded forest land for raising Compensatory Afforestation forms 1 patches, comprising area 70.00 ha. The District Forest Officer, North submitted estimates for raising compensatory afforestation as per feasibility. According to his estimate he will plant total 50,000 nos saplings over 70.00 ha of forest land. He also mentioned that total number of saplings will be planted is 50000 @ 715 saplings per ha through ANR.

The above area is proposed to be covered under plantation. The District Forest Office has prepared estimate for compensatory Afforestation with a financial outlay of Rs.1,96,2,333/-. The compensatory afforestation scheme and envisage plantation over 70.00 ha of forest land. The Dist.F.O. North has given certificate regarding suitability of land for Compensatory Afforestation and User Agency has given undertaking to bear the cost of compensatory afforestation. The User Agency has furnished undertaking to deposit the amount of CA scheme, etc after the Stage-I clearance under FCA is granted.

It is not proposed to impose condition of penal afforestation, since violation of FCA has not been committed.

8. **Displacement of Human Population:** - No human population is being displaced owing to the project.
9. **Environmental Clearance:** - The environmental clearance is not required as intimated by the User Agency in Form-A Part-I.
10. **Cost benefits analysis:** - The cost benefit analysis is enclosed with the proposal.
11. **Violation of Forest (Conservation) Act/ Indian Forest Act:** -

There has been no violation of FCA in respect of instant proposal. So, the State Government does not propose for imposing condition for penal Afforestation.

12. **Recommendation of the State Government:-** Recommendations of the Nodal Officer, FCA and the State Government are submitted in part IV & V of the Form-"A" respectively and these are enclosed with the proposal. The Assessing Officers have not made any adverse comment on the proposal and it has been suitably commented upon by senior officers. The proposed diversion site is not a part of National Park, Sanctuary, Biosphere Reserve, Sample or Preservation Plot, Ecologically fragile zone. The proposal is not going to affect any endemic species of flora and fauna. The project will also not adversely affect timber, fuel wood and MFP supply to rural masses. Since there is no violation of FCA, 1980, so the State Govt. does not propose for imposing condition for penal afforestation, in the instant proposal. The District Forest Officer North recommended the proposal with the following conditions:-

- i. The damage to the forest during construction activities should be minimum and also without effecting the adjacent patches of plantation/ forests.
- ii. Parts of the area proposed for diversion are prone to soil erosion if needed the user agency should bear the expenditure incurred for soil stabilization measures and also to avoid the soil erosion and landslides during construction.
- iii. A walk in aviary may be set up in Kanchanpur Sub Division for an amount of **Rs. 70.00 lakhs** for the conservation of the various birds and for the creation of awareness among the people which may be placed by the user agency for the purpose.
- iv. There needs proper fencing of the proposed diversion with chain link fencing, the tentative estimate towards the chain link fencing would be **Rs. 36.24 lakhs** which may be placed by the user agency.
- v. Only the requirement number of trees that needs to be felled during the implementation of the project.



Contd P.4

[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

13. I would, therefore, request you to kindly convey the approval of the Ministry of Environment & Forests, Government of India u/s 2(ii) of the Forest (Conservation) Act 1980 for diversion of the forest land in question in favour of the Sub-Divisional Magistrate, Kanchanpur.

Encl:-As stated above

Yours faithfully,

(Harshakumar C)
Joint Secretary
to the Government of Tripura

List of Enclosures:-

1. Form - A comprising Part-I, Part-II, Part-III, Part-IV & Part-V
2. Site inspection report of Dist.F.O. North
3. Land statement
4. Certificate for minimum requirement of area
5. Toposheet map
6. Vendyke Mouja map
7. Toposheet
8. Undertakings
9. Copy of uploading the proposal
10. Others

Copy to:-

1. The Principal Chief Conservator of Forests & HoFF, Tripura for information please.
2. The Chief Conservator of Forests (T), FHQ for kind information.
3. The Secretary, Revenue Deptt., Government of Tripura for kind information.
4. The District Forest Officer, North for information please.
5. The Sub-Divisional Forest Officer, Kanchanpur for information please.
6. The Sub-Divisional Magistrate, Kanchanpur for information please.

28.10.2020
Joint Secretary

to the Government of Tripura



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

भारत सरकार /Govt of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय/Ministry of Environment, Forest & Climate Change
पूर्वोत्तर क्षेत्रीय कार्यालय/ North Eastern Regional Office, शिलांग /Shillong

REC बैठक के मिनट/ Minutes of the 34th REC meeting

29th October, 2020

The following proposals for settlement of BRU Migrant in the State of Tripura have been discussed by the REC:-

1. Proposal for diversion of of 10.22 ha forest land for settlement of BRU Migrant in favour of SDM, Sonamura under District Forest Officer, Sepahijala.
2. Diversion of 15.00 ha forest land for settlement of BRU Migrant of Mouja west Kalajhari RF in favour of SDM, Amarpur under Gomati District.
3. Diversion of 10.643 ha forest land for settlement of BRU Migrant at location Shikabri in favour of SDM, Khowai under Khowai District Forest.
4. Diversion of 10.00 ha forest land for settlement of BRU Migrant at Mouja MCRF in favour of SDM, Lt. Valley under Dhalai District

The REC was informed about the importance and letter of agreement signed between the Govt of India, Govt of Tripura, Govt of Mizoram and Bru Organisations in respect of the above proposals.

REC deliberated on the para 1.16. of the guidelines of Forest (Conservation) Act, 1980 and Forest Conservation Rules, 2003, Handbook 2019 which read as

“1.16. Diversion of forest land for rehabilitation:

Diversion of forest land for rehabilitation of people is normally not allowed. However, such diversion may be considered as a special case, if diversion of forest land is essentially required for the rehabilitation of persons belonging to Scheduled Tribes, Scheduled Castes and other people who may have to be shifted from the core zone of a national park, sanctuary or reserve.”

However the resettlement of Bru migrants being a long pending issue and considering the sensitivity of the matter with immense human misery involved; the REC decided to consider the proposals in as a special case and in a positive light subject to compliance of the State Govt of all other mandatory conditions required for diversion of forest land and refer the matter to competent authority in the MoEF&CC.

The Nodal Officer (FCA), Govt of Tripura informed that these proposed Bru resettlement areas is not for the persons from the core zone of national park, sanctuary or reserve, however the proposal are submitted as per the agreement taken up by the Govt of India to resettle the displaced Bru from Mizoram and presently living in camps in Tripura. The Nodal Officer further informed that there are total 14 numbers of proposals seeking forest clearance under F(C)Act,1980 which are currently processed in the State Govt., 4(four) of which are being



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office

973

included in this REC. The REC asked the State Govt why the resettlement has not been done in the revenue land as the proposal is not site specific. The State Govt of Tripura clarified that no large chunk of revenue land is available in the State for this purpose as most of the available revenue land are in small pockets. It was further clarified that there are no proposal for rehabilitation of displaced Bru in the revenue land.

REC members noted that this is a sensitive issue which unfortunately also involves lots of human misery. The member further raised the question that the same issue may come from any part of the country and these proposals need to be examined thoroughly to set a good precedence in future considering the importance of resettlement of the Bru people.

REC discussed about common problems like small size of proposed area and future expansion of land, encroachment, grazing land for livestock, alternate livelihood, long term rehabilitation plan as more pressure will be there in the forest. REC suggested for a strict guidelines for the aforesaid unavoidable issues be brought out by the State Govt justifying the proposal since this is not admissible under the Forest(Conservation) Act, 1980. State Govt. has therefore been requested to submit the following :-

- 1) State Govt to submit a comprehensive detail about all the proposals related to the Bru Settlements giving among others, the number of people/families to be rehabilitated, the area of forest land that would be required, the reason for not proposing revenue land, the alternatives explored and other details.
- 2) A proper justification for granting of diversion of forest land for the purpose of this project which is not admissible under F(C) Act, 1980 as mentioned earlier needs to be given with all justification so as to stand legal scrutiny in future.
- 3) As desired by the REC members, State Govt should come out with concrete steps to be taken to ensure alternative livelihood of the resettled people keeping in mind the increasing population, demand for land, the need for decent livelihood, the growth of livestock, and demand for grazing etc so that the pressure on the forest should be reduced to the minimum.
- 4) Restriction, if any, to be imposed on the settlers by the district administration and State Govt to prevent encroachment, illegal felling and other illegalities around the forest area of the settlement.
- 5) The REC observed that the cost of project shown against all the proposals was very low and unrealistic. State Govt informed that it is under revision. State Govt was asked to complete and submit.

After general discussion the REC discussed proposal wise as below:-

The AGENDA (1).

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र (हेक्टेयर में) Area(in ha)
F. No. 3-TR C 062/2020-	Proposal for diversion of of 10.22 ha forest land for settlement of BRU Migrant in favour of SDM, Sonamura	Tripura	10.22



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

REC observed that the legal status of the proposed land is **Proposed Reserve Forest** and density of the proposed area is 0.2 and Eco Class- I. The following purpose wise break up was discussed by the REC:-

Sl. No.	Type of work	Quantum of land (in ha)
1	Const. of 3 Nos of AWC	0.10
2	1 no. JB school(6 rooms) including play ground	1.00
3	1 Health sub centre	0.6
4	1 Fair Price Shop	0.02
5	1 DTW with overhead tank	0.24
6	1 Market Shed	0.24
7	Internal Road	1.00
8	Living Place(30x40 ft)	3.34
9	Electrical Treatment	0.02
10	Land for other use by community for livelihood and other community activities	4.09
	Total	10.22

The proposal will affect 50000 nos of bamboo species (0-30cm) commonly known as Mritinga. The nearest aerial distance of the proposed site from the Sepahijala Wildlife Sanctaury is 9.486774 km and from its ESZ is 9.386774 km.

The DSS reported the proposed area as 'NOT INVIOLATE' as per the Decision Rule No 1&2 and entire proposed area is a non forest land (land without vegetation). The compensatory afforestation site has been proposed over double the degraded forest area of **20.44 ha** in compartment No 5, Khatian No. 2/50, Rev C/S Plot No 3190, Uttar Sonamura PRF, Sadar Forest Division, Kalanchoura mouja Boxanagar, Sonamura Sub Division, Sepahijala District and as per the DSS report, out of total 20.44 ha proposed CA site, 0.88 ha is moderately dense forest, 17.97 ha of open forest and 1.59 ha non forest land. Thereafter REC accepted the proposed CA site.

The REC asked the State Govt to clarify on the cost of the project i.e 20 lakhs whether this cost consist of all the components like civil works, NPV, CA, etc and number of permanent (Number of persons) employee i.e. 350. The District Collector, Sipahijala, State Govt of Tripura informed the REC that this cost of the project was initially calculated however the exact cost of the project is to be revised. Further informed that in Tripura, permanent employees are consider to be generated if an amount of Rs 1.5 lakh per annum are deposited in their respective accounts. Therefore in this instant proposal as per the Govt provision, the aforesaid amount has been deposited to each personal account and therefore the number of permanent (Number of persons) employee is 350 in Nos.

The REC members mentioned about the common issues on alternate livelihood, livestock, grazing, long term rehabilitation plan and future expansion/ encroachment on the forest area which may be of matter of concerned after the resettlement

REC deliberated the proposal and recommended the proposal for diversion of 10.22 ha forest land for settlement of BRU Migrant in favour of SDM, Sonamura under District Forest Officer, Sepahijala for



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shiliong

sending to Ministry for approval of the competent authority with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) Total cost of the project including all provisions of amenities and infrastructure development like civil works, NPV, CA, etc.
- (ii) The definition of the permanent employee is to be clarified and to provide the exact number of the permanent (Number of persons) and temporary employees to be generated by this proposal.
- (iii) The detailed break up of 4.09 ha proposed for land for other use by community for livelihood and other community activities as mentioned in the submitted purposewise break up .

ADDITIONAL AGENDA (I).

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र (हेक्टेयर में) Area(in ha)
F. No. 3-TR C 064/2020-SHI	Diversion of 15.00 ha forest land for settlement of BRU Migrant of Mouja west Kalajhari RF in favour of SDM, Amarpur under Gomati District.	Tripura	15

The Proposal for diversion of 15.00 ha forest land for settlement of BRU Migrant of Mouja west Kalajhari RF in favour of SDM, Amarpur under Gomati District was discussed by the REC members.

REC observed that the legal status of the proposed land is Reserve Forest and density of the proposed area is 0.1 and Eco Class- I. The purpose wise break up of the proposed site was observed by REC as below:-

Sl. No.	Type of work	Requirement of land in ha
1	Dwelling Houses for 300 nos. BRU migrant families	6
2	Aganwadi centre	0.03
3	Health centre	0.02
4	Animal Husbandry centre	0.02
5	Agri-Horti-Sub Centre	0.03
6	School & Play ground	0.40
7	Community Hall	0.20
8	Rural Haat	0.30
9	Market Stalls	0.65
10	DTW and Electricity Sub Station	0.04
11	Water Body	0.81
12	Road Development/Plantation/Farming practices and other economic activities	6.50
	Total	15



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

(2 Nos)

The proposal will affect 65 nos of trees and the aerial distance of the proposed site from the nearest Gumti Wildlife Sanctaury is 0.51 km and from its ESZ is 10 meters. One REC members informed that as the proposed area is close to ESZ of Gumti Wildlife Sanctaury and considering its importance a strict guidelines may be necessary to issue. The State Govt agreed the same and informed the REC regarding imposing of some restriction in the area.

REC observed that an area of **30 ha** comprising of two patches of **25.51 ha and 5.13 ha** double the degraded forest land in CS Plot No. 254, Khatian No. 3/45, West Kalajhari mouja, Bampur TK, Amarpur Sub Division in Gomati District has been identified for compensatory afforestation.

The REC discussed the DSS report of the proposed site and compensatory afforestation. The proposed area is 'INVIOLATE' and Conservator of Forest(TC) in its letter dated 27.10.2020 has clarified that the area appears to have greenery however only 65 nos of trees and some bushes, bamboo, and wild banana along with climbers are present in the proposed site. Further mentioned that there are no viable forestry species except 65 nos of trees. However REC informed the Nodal Officer that justification on INVIOLATE be submitted based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity.

REC asked the Nodal Officer (FCA) to clarify on 48 nos. of trees which are kept in misc species category having girth more than 91 cm, 150 cm without scientific names. The Nodal Officer informed that these trees are of no economical importance. One REC member informed that Biological importance of all plants should be considered and hence any species may be endangered, primitive and are important as genetic material are dependent on landscape. The member further informed that there is no question of economical importance of a tree species as some species have medicinal importance and scientific names of these 48 nos of trees is to be provided by the State Govt along with their respective numbers and girths.

The REC informed the State Govt that as discussed in the previous agenda above the cost of the project is to be revised including all the components like civil construction, NPV, CA, etc. and clarification on the number of permanent (Number of persons) employee is to be provided.

REC deliberated the proposal and recommended the proposal for diversion of 15.00 ha forest land for settlement of BRU Migrant of Mouja west Kalajhari RF in favour of SDM, Amarpur under Gomati District for sending to Ministry for approval of the competent authority with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) Total cost of the project including all provisions of amenities and infrastructure development like civil works, NPV, CA, etc.
- (ii) The definition of the permanent employee is to be clarified and to provide the exact number of the permanent (Number of persons) and temporary employees to be generated by this proposal.
- (iii) Justification for proposing in area which is 'INVIOLATE' is to be submitted based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity.



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

(26)

- (iv) The scientific names of 48 nos of trees as mentioned in the submitted enumeration list as misc tree species are to be provided by the State Govt along with their respective numbers and girths.
- (v) The detailed break up of 6.50 ha proposed for Road Development/Plantation/Farming practices and other economic activities as mentioned in the submitted purpose wise break up.

ADDITIONAL AGENDA (2)

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र (हेक्टेयर में) Area (in ha)
F. No. 3-TR C 65/2019-SHI	Diversion of 10.643 ha forest land for settlement of BRU Migrant at location Shikabri in favour of SDM, Khowai under Khowai District Forest.	Tripura	10.643

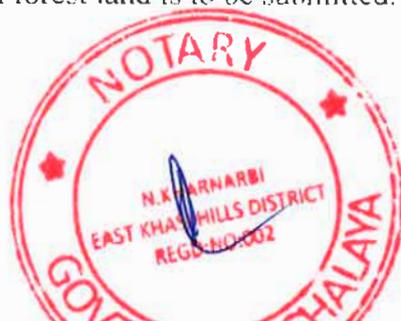
The proposal for diversion of 10.643 ha forest land for settlement of BRU Migrant at location Shikabri in favour of SDM, Khowai under Khowai District Forest was discussed by the REC members.

REC observed that the legal status of the proposed land is Reserve Forest and density of the proposed area is 0.3 and Eco Class- 1. The purpose wise break up of the proposed site is observed as below:-

Sl. No.	Type of work	Forest land (in ha)
1	Const. of habitation for 300 Bru migrant families	3.339
2	Const. of school & playground for Bru migrant at Shikaribari	1.62
3	Electricity Sub-Station for BRU migrant	0.323
4	Const. of AWC	0.162
5	Const. of Community Hall	0.405
6	Const. of Rural Hut	0.81
7	Const. of Health sub centre	0.81
8	Const. of Market Stall	0.81
9	Const. of Deep Tube well	0.040
10	Remaining area	2.324
	Total	10.6430

The proposal will affect 65 nos of trees and the aerial distance of the proposed site from the nearest Sepahijala Wildlife Sanctaury is 50 km.

REC observed that compensatory afforestation has been identified over an equivalent non- forest area i.e. **10.643 ha** in compartment No 5, Khatian No. 2/12 & 2/53, RS Plot No. -1926/P & 2151/P. Tulashikar, Khowai Forest Sub Division, Khowai District. REC informed the State Govt that mutation of this non forest land is to be submitted.




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

900

The REC informed the State Govt that as discussed in the previous agenda above the cost of the project is to be revised including all the components like construction, NPV, CA, etc. and clarification on the number of permanent (Number of persons) employee is to be provided.

The REC discussed the DSS report of the proposed site and compensatory afforestation. The proposed area is 'INVIOATE'. REC informed the Nodal Officer (FCA) that State Govt comments on INVIOATE is to be submitted based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity. REC observed that out of the total propose CA site, the density of forest cover in 8 ha is Moderately Dense Forest and 3 ha is Open Forest.

REC asked the Nodal Officer (FCA) to clarify on 56 nos. of trees which are kept in misc species category having girth more than 91 cm, 150 cm without scientific names. The Nodal Officer informed that these trees are of no economical importance. One REC member informed that Biological importance of all plants should be considered and hence any species may be endangered, primitive and are important as genetic material are dependent on landscape. The member further informed that there is no question of economical importance of a tree species as some species have medicinal importance and scientific names of these 48 nos of trees is to be provided by the State Govt along with their respective numbers and girths.

REC deliberated the proposal and recommended the proposal for diversion of 10.643 ha forest land for settlement of BRU Migrant at location Shikabri in favour of SDM, Khowai under Khowai District Forest for sending to Ministry for approval of the competent authority with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) Total cost of the project including all provisions of amenities and infrastructure development like civil works, NPV, CA, etc.
- (ii) The definition of the permanent employee is to be clarified and to provide the exact number of the permanent (Number of persons) and temporary employees to be generated by this proposal.
- (iii) Clarification on 'INVIOATE' of the propose area is to be submitted based on four parameters of the DSS i.e. Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity.
- (iv) The scientific names of 56 nos of trees mentioned in the enumeration list as misc tree species are to be provided by the State Govt along with their respective numbers and girths.
- (v) The current status of mutation of the proposed non forest land for CA.
- (vi) The detailed break up of 2.324 ha proposed for remaining area as mentioned in the submitted purpose wise break up.

ADDITIONAL AGENDA (3)

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र (हेक्टेयर में / Area(in ha)
F.No. 3-TR C 073/2020-SHI	Diversion of 10.00 ha forest land for settlement of BRU Migrant at Mouja MCRF in favour of SDM, Lt. Valley under Dhalai District.	Tripura	10.00




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

967

The Proposal for diversion of 10.00 ha forest land for settlement of BRU Migrant at Mouja MCRF in favour of SDM, Lt. Valley under Dhalai District was discussed by the REC members.

REC observed that the legal status of the proposed land is Reserve Forest and density of the proposed area is 0.6 and Eco Class- I. The purpose wise break up of the proposed site is observed as below:-

Sl. No.	Type of work	No. of plots	Total Area (in ha)
1	Individual allocation (0.012 ha)	300 nos	3.642
2	School	1	0.323
3	AWC	1	0.064
4	Health Centre	1	0.064
5	Water Pump	3	0.048
6	Community Purpose(Market,Hall etc)	1	0.202
7	Colony Road, Lunga (Unusable), etc		5.657
	Total		10

REC requested the State Govt to clarify on the area involved for road as mentioned in the above break up. Nodal Officer (FCA) informed that the area involved for road is 0.4 ha. REC further requested to provide the detailed break up of the 5.657 ha which is kept as Colony Road, Lunga (Unusable), etc in the purpose wise break up.

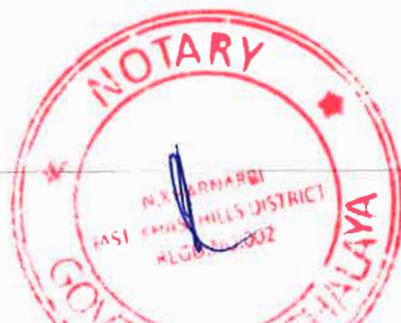
The proposal will affect 757 nos of trees. The aerial distance of the proposed site from the nearest Gunti WLS is 28.511405 km and from its ESZ 27.06763 km.

The REC informed the State Govt that as discussed in the previous agenda above the cost of the project is to be revised including all the components like civil works, NPV, CA, etc. and clarification on the number of permanent (Number of persons) employee is to be provided.

The compensatory afforestation is proposed over an equivalent non forest land i.e. 10 ha and degraded forest land of 5 ha. The 10 ha non forest land is identified in compartment No, Khatian No. 1/105, 1/106,1/52,1/119, CS Plot No. 3132P, 3142P, 3143P,2119 in Manu Range, Manu Forest Sub-Division, in Dhalai District where 5000 plants is to be accommodated through ANR and 5 ha degraded forest land is identified in CS plot No 1069, Khatian No. 5/1, Jarucherra mouja, Manu Range, Manu Forest Division, Dhalai district where rest of the plantation will be accommodated by planting 5000 saplings in degraded forest land.

The REC informed the State Govt that as discussed in the previous agenda above the cost of the project is to be revised including all the components like NPV, CA, etc. and clarification on the number of permanent (Number of persons) employee is to be provided.

REC asked the Nodal Officer (FCA) to clarify on 77 nos. of trees which are kept in others category having girth more than 91 cm, 150 cm without scientific names. As in previous proposal State Govt is to provide the scientific names of these 77 nos of trees along with their respective numbers and girths.



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

The REC discussed the DSS report of the proposed site and compensatory afforestation. The proposed area is 'INVIOLATE' and Conservator of Forest(FC) in its letter dated 27.10.2020 has mentioned that the proposed area appears to be greenery however there are only bushes and wild banana covered with climbers and there are no viable forestry species. The REC requested the State Govt to provide the comments on 'INVIOLATE' based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity. REC further observed that out of the total propose CA site, the density of forest cover in 6 ha is Moderately Dense Forest and 4 ha is Non Forest (land without vegetation).

REC deliberated the proposal and recommended the proposal for diversion of 10.00 ha forest land for settlement of BRU Migrant at Mouja MCRF in favour of SDM, Lt. Valley under Dhalai District for sending to Ministry for approval of the competent authority with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) Total cost of the project including all provisions of amenities and infrastructure development like civil works, NPV, CA, etc.
- (ii) The definition of the permanent employee is to be clarified and to provide the exact number of the permanent (Number of persons) and temporary employees to be generated by this proposal.
- (iii) Clarification on 'INVIOLATE' of the propose area is to be submitted based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity.
- (iv) The current status of mutation of the proposed non forest land for CA.
- (v) The scientific names of 77 nos of trees mentioned in the enumeration list as misc tree species are to be provided by the State Govt along with their respective numbers and girths.
- (vi) The detailed break up of 5.657 ha proposed for colony road, Lunga (Unusable), etc as mentioned in the submitted purpose wise break up.

(Dr. Parimal Chandra Bhattacharjee)
Non- Official Member

(Shri Yambos Murray)
Non-Official Member

(Shri Fesom Sekong)
Non-Official Member

(Shri.V.G.Jenner)
CCF & Nodal Officer (FCA)
Govt of Tripura

(Shri W.I. Yathon)
DIG(FC), Member Secretary

(Ms. Imtiena Ao)
DDG, Chairman



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

The REC discussed the DSS report of the proposed site and compensatory afforestation. The proposed area is 'INVIO-LATE' and Conservator of Forests (C) in its letter dated 27.10.2024 has mentioned that the proposed area appears to be greenery, however there are only bushes and small bamboo covered with clusters and there are no viable forestry species. The REC requested the State Govt to provide the comments on 'INVIO-LATE' based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity. REC further observed that of the total proposed CA site, the density of forest cover in 6 ha is Moderately Dense Forest and 4 ha is Non Forest (land without vegetation).

REC deliberated the proposal and recommended the proposal for diversion of 10.00 ha forest for settlement of BRU Migrant at Mouja MICEE in favour of SDM, Lt. Valley under Dhalai Division according to Ministry for approval of the competent authority with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) Total cost of the project including all provisions of amenities and infrastructure, development like civil works, NPV, CA, etc.
- (ii) The definition of the permanent employee is to be clarified and to provide the exact number of the permanent (Number of persons) and temporary employees to be generated by this project.
- (iii) Certification on 'INVIO-LATE' of the proposed area is to be submitted based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity.
- (iv) The current status of mutation of the proposed non forest land for CA.
- (v) The scientific names of 77 nos of trees mentioned in the enumeration list as in the list are to be provided by the State Govt along with their respective numbers and parts.
- (vi) The detailed break up of 3.637 ha proposed for colony road, Langa (1) etc. as mentioned in the submitted purpose wise break up.

(Dr. Parimal Chandra Bhattacharjee)
Non-Official Member

(Shri Yambos Murray)
Non-Official Member

(Shri Tesom)
Non-Official Member

(Shri V. G. Jenner)
CCF & Nodal Officer (C.A.)
Govt of Tripura

(Shri W. J. Yabon)
DIG(FC), Member Secretary



(Ms. Imtiedli A/D)
DDO, Cherrapunji

Deputy Inspector General of Forests (Central)
Govt. of India Ministry Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

304

The REC discussed the DSS report of the proposed site and compensatory afforestation. The proposed area is 'INVIOATE' and Conservator of Forest(TC) in its letter dated 27.10.2020 has mentioned that the proposed area appears to be greenery however there are only bushes and wild banana covered with climbers and there are no viable forestry species. The REC requested the State Govt to provide the comments on 'INVIOATE' based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity. REC further observed that out of the total propose CA site, the density of forest cover in 6 ha is Moderately Dense Forest and 4 ha is Non Forest (land without vegetation).

REC deliberated the proposal and recommended the proposal for diversion of 10.00 ha forest land for settlement of BRU Migrant at Mouja MCRF in favour of SDM, Lt. Valley under Dhalai District for sending to Ministry for approval of the competent authority with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) Total cost of the project including all provisions of amenities and infrastructure development like civil works, NPV, CA, etc.
- (ii) The definition of the permanent employee is to be clarified and to provide the exact number of the permanent (Number of persons) and temporary employees to be generated by this proposal.
- (iii) Clarification on 'INVIOATE' of the propose area is to be submitted based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity.
- (iv) The current status of mutation of the proposed non forest land for CA.
- (v) The scientific names of 77 nos of trees mentioned in the enumeration list as misc tree species are to be provided by the State Govt along with their respective numbers and girths.
- (vi) The detailed break up of 5.657 ha proposed for colony road, Lunga (Unusable), etc as mentioned in the submitted purpose wise break up.

(Dr. Parimal Chandra Bhattacharjee)
Non- Official Member

(Shri Yanbos Murray)
Non-Official Member

(Shri Fesom Sekong)
Non-Official Member

(ShrLV.G.Jenner)
CCF & Nodal Officer (FCA)
Govt of Tripura

(Shri W.L. Yathon)
DIG(FC), Member Secretary

(Ms. Intieha Au)
DDG, Chairman



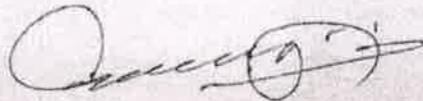
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environmental, Forest & Climate Change
North Eastern Regional Office, Shillong
06-Nov-20, 2:35 PM

965

The REC discussed the DSS report of the proposed site and compensatory afforestation. The proposed area is 'INVIOLEATE' and Conservator of Forests (C) in its letter dated 27.10.2020 has mentioned that the proposed area appears to be greenery however there are only bushes and wild banana covered with climbers and there are no viable forestry species. The REC requested the State Govt to provide the comments on 'INVIOLEATE' based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity. REC further observed that out of the total propose CA site, the density of forest cover in 6 ha is Moderately Dense Forest and 4 ha is Non Forest (land without vegetation).

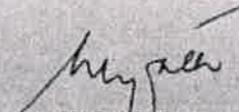
REC deliberated the proposal and recommended the proposal for diversion of 10.00 ha forest land for settlement of BRU Migrant at Mouja MCRE in favour of SDM, Lt. Valley under Dhalai District for sending to Ministry for approval of the competent authority with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) Total cost of the project including all provisions of amenities and infrastructure development like civil works, NPV, CA, etc.
- (ii) The definition of the permanent employee is to be clarified and to provide the exact number of the permanent (Number of persons) and temporary employees to be generated by this proposal.
- (iii) Clarification on 'INVIOLEATE' of the propose area is to be submitted based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity.
- (iv) The current status of mutation of the proposed non forest land for CA.
- (v) The scientific names of 77 nos of trees mentioned in the enumeration list as misc tree species are to be provided by the State Govt along with their respective numbers and girths.
- (vi) The detailed break up of 5.657 ha proposed for colony road, Lunga (Unusable), etc as mentioned in the submitted purpose wise break up.

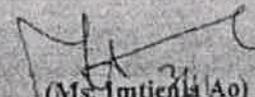


(Dr. Parimal Chandra Bhattacharjee) (Shri Yambos Murray) (Shri Fesom Sekong)
Non- Official Member Non-Official Member Non-Official Member

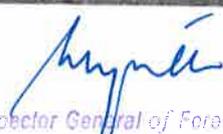
(Shri V.G. Jenner)
CCF & Nodal Officer (FCA)
Govt of Tripura



(Shri W.I. Yatbon)
DIG(FC), Member Secretary



(Ms. Imtiena Ao)
DDG, Chairman

Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

06-Nov-20, 2:35 PM

979

The REC discussed the DSS report of the proposed site and compensatory afforestation. The proposed area is 'INVIOATE' and Conservator of Forest(TC) in his letter dated 27.10.2020 has mentioned that the proposed area appears to be greenery however there are only bushes and wild banana covered with climbers and there are no viable forestry species. The REC requested the State Govt to provide the comments on 'INVIOATE' based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity. REC further observed that out of the total propose CA site, the density of forest cover in 6 ha is Moderately Dense Forest and 4 ha is Non Forest (land without vegetation).

REC deliberated the proposal and recommended the proposal for diversion of 10.00 ha forest land for settlement of BRJ Migrant at Mouja MCRF in favour of SDM, Lt. Valley under Dhalal District for sending to Ministry for approval of the competent authority with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) Total cost of the project including all provisions of amenities and infrastructure development like civil works, NPV, CA, etc.
- (ii) The definition of the permanent employee is to be clarified and to provide the exact number of the permanent (Number of persons) and temporary employees to be generated by this proposal.
- (iii) Clarification on 'INVIOATE' of the propose area is to be submitted based on four parameters of the DSS i.e Forest Cover Map, Forest Type Map, Biological Richness and Land Integrity.
- (iv) The current status of mutation of the proposed non forest land for CA.
- (v) The scientific names of 77 nos of trees mentioned in the enumeration list as misc tree species are to be provided by the State Govt along with their respective numbers and girths.
- (vi) The detailed break up of 5.657 ha proposed for colony road, Lunga (Unusable), etc as mentioned in the submitted purpose wise break up.

Dr. Parimal Chandra Bhattacharjee

(Dr. Parimal Chandra Bhattacharjee)
Non-Official Member

(Shri Yambos Murray)
Non-Official Member

(Shri Fesom Sekong)
Non-Official Member

(Shri V.G. Jenner)
CCF & Nodal Officer (FCA)
Govt of Tripura

(Shri W.I. Yabon)
(Shri W.I. Yabon)
DIG(FC), Member Secretary

(Ms. Imtiena Ao)
(Ms. Imtiena Ao)
DDG, Chairman



(Signature)
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

11/6/2020, 10:55 AM

११८

भारत सरकार /Govt of India

पर्यावरण , वन एवं जलवायु परिवर्तन मंत्रालय/Ministry of Environment, Forest & Climate Change
पूर्वोत्तर क्षेत्रीय कार्यालय/ North Eastern Regional Office, शिलांग /Shillong

REC बैठक के मिनट/ Minutes of the 35th REC meeting03rd DECEMBER
October, 2020STATE: TripuraAGENDA (3).

Proposals for diversion of forest land for settlement of BRU Migrant seeking forest clearance under Forest (Conservation) Act, 1980 in the State of Tripura.

The Regional Empowered Committee reiterated the discussion of the last 34th meeting of REC held on 29.10.2020 for diversion of forest land for settlement of BRU Migrant seeking forest clearance under Forest (Conservation) Act, 1980, in the State of Tripura. The REC was informed that as desired in its last meeting the following information were sought from the State Govt:-

- (i) Comprehensive resettlement details wherein forest land is proposed to be diverted along with justification for not utilizing revenue land for settlement.
- (ii) The instant proposal being outside the admissible limit under F(C) Act, 1980 full justification to be given that can stand legal scrutiny in future.
- (iii) Some of the proposed sites being close proximity to wildlife & eco sensitive areas, restriction and strict guidelines to be framed by the district administration and State Govt to prevent encroachment, illegal felling and other irregularities around the forest area of the settlement.
- (iv) Cost of project shown against all the proposals observed to unrealistically low. State Govt to revise and submit the total all-inclusive cost of each project.

REC was informed that State Govt had furnished the reply on above vide its letter No F11(2) RR & DM/Reang/2020 dated 19.11.2020 and the submitted reply was further deliberated upon. REC observed that the complete justifications establishing the inevitability for settlement in forest areas, and the effort details of alternative non forest land examined in earnest, reasons for rejection thereof etc have not been clearly reflected and brought out in the reply.

REC was further informed about the letter of Secretary, MoEF&CC addressed to Home to Secretary, Ministry of Home Affairs with respect to non admissibility of the proposal under the FCA as per para 1.16 of the comprehensive guideline of Forest(Conservation) Act, 1980.



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

“1.16. Diversion of forest land for rehabilitation:

Diversion of forest land for rehabilitation of people is normally not allowed. However, such diversion may be considered as a special case, if diversion of forest land is essentially required for the rehabilitation of persons belonging to Scheduled Tribes, Scheduled Castes and other people who may have to be shifted from the core zone of a national park, sanctuary or reserve.”

REC members expressed that the proposal is desired to be approved but legal but the legal situation appears to be limited.

Secretary Revenue & DM, Govt of Tripura appealed to look into this issue based on the following grounds:-

On the legal ground it was agreed that the para 1.16 of the comprehensive guideline of MoEF&CC can be construed to be only as a suggestive direction and not a mandatory one since the same is neither part of the Rules nor the Act. The present proposal is one that cannot be compared to any preceding case that the MoEF&CC has dealt in the past and therefore may be dealt as a stand alone case and that too with a special consideration. Under the Forest(Conservation)Rules 2003 under **Section-7 (ii)** the Committee set up for examining the cases "shall give due regard to all or any of the following matters while tendering its advice on the proposals referred to it", namely: -

"ii) whether the use of any forest land is for agricultural purposes or for the rehabilitation of persons displaced from their residences by reason of any river valley or hydroelectric project; "

From the above, it is clear that positive consideration is prescribed to be made in circumstances where mass displacement of people resulted due to development cause. In this case, the displacement has occurred on account of mass exodus of the Bru Reangs for the fear of their lives and safety.

Historically, the Secretary Revenue said that the rehabilitation of the "Bru Reang" Community, being one of the 75 primitive tribes of India is a necessity for a people languishing in makeshift migrant camps for over 23 years. Reangs are still a nomadic tribe and a large number among them maintain their livelihood involving food gathering



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

activities like collection of jungle fruits, leaf, plants, fishing in stagnant water in hill slopes. Moreover, they are very timid, gentle, polite & peace loving in nature. She also mentioned here that there is enough evidence that Brus displaced from Mizoram were originally inhabiting the forest hills of Mizoram, many of which have now been notified as national parks, sanctuaries or reserves e.g. Dampa Tiger Reserve. The details information has been sought from the Government of Mizoram vide State Govt letter dt. 26/11/2020.

Secretary also pleaded on **humanitarian ground** stating that from 1995, there were attempts by Mizo groups to remove Bru Reangs of Mizoram from the electoral rolls on the grounds that they are not indigenous. This led to an armed movement by Bru National Liberation Front, members of which allegedly murdered a Mizo official in 1997. In retaliatory violence, approximately 40,000 Brus (almost 50% of their population in Mizoram) migrated to Tripura and have been residing in 7 temporary relief camps ever since. Further stated that the lifestyle of Brus is in harmony with nature, and they are known to conserve tree species like bamboo, jack fruit, mango etc. which are essential for their survival. They are by nature forest dwellers and nature lovers.

The Nodal Officer (FCA), State Govt Tripura further requested the REC for considering the proposals for sending to Ministry for approval of the competent authority in view of para 1.15 of comprehensive guideline of Forest (Conservation) Act, 1980 which read as,

"1.15. Diversion of forest land for non-site-specific projects: A number of proposals for diversion of forest land for non-site-specific projects like industries, construction of residential colonies, institutes, disposal of fly ash, rehabilitation of displaced persons, etc. are received by the Central Government. Attention is drawn to items 1(iv) and 8 of the Form 'A' in which the proposal is to be submitted by the State Government. In these columns, justification for locating the project in the forest area giving details of the alternatives examined and reasons for their rejection has to be furnished. Normally, there should not be any justification for locating non-site-specific projects on forest land. Therefore, the State Government should scrutinize the alternatives in more details and must give complete justification establishing its inescapability for locating the project in forest area."

He agreed that the possibility of approving the proposal within the provision of the Act and guidelines is possible for the same with proper justification. REC agreed that it is a humanitarian crisis that needs early resolution in the most compassionate manner. However, revision/relaxation of guidelines being beyond the scope and provision of the REC, the State Govt




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

was requested to take up the matter at the highest level. Further it was discussed that Ministry may consider as a one time approval in this case to solve the misery of the people involved. In the meantime State Govt is to bring out the justification of proposal in forest land instead of revenue land or non forest land with the supporting documents until the further clarifications and for relaxation comes in the guideline.

It has also been informed to the REC that the State Govt and Ministry of Environment, Forest & Climate Change, Govt of India is taking up the matter at the highest level of the Govt of India and additional information is being sought from Govt of Mizoram. In anticipation of the positive outcome of these efforts and recognizing the humanitarian crisis over this issues REC decided that:-

- (i) State Govt to furnish further justification on the effort that was put into finding revenue land by the State Govt so as to make strong justification case for diversion as required.
- (ii) The State Govt to provide a note on the admissibility of this proposal based on para 1.15 of the comprehensive guidelines of F(C)Act, 1980 as discussed in REC.

(Dr. Parimal Chandra Bhattacharjee)
Non-Official Member

(Shri Fesom Sekong)
Non-Official Member



(Shri.V.G.Jenner)
CCF & Nodal Officer (FCA)
Govt of Tripura

(Shri W. I. Yatbon)
DIG(FC), Member Secretary

(Ms. Imtiena Ao)
DDG, Chairman

Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

304

was requested to take up the matter at the highest level. Further it was discussed that Ministry may consider as a one time approval in this case to solve the misery of the people involved. In the meantime State Govt is to bring out the justification of proposal in forest land instead of revenue land or non forest land with the supporting documents until the further clarifications and for relaxation comes in the guideline.

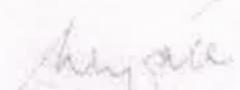
It has also been informed to the REC that the State Govt. and Ministry of Environment, Forest & Climate Change, Govt of India is taking up the matter at the highest level of the Govt of India and additional information is being sought from Govt of Mizoram. In anticipation of the positive outcome of these efforts and recognizing the humanitarian crisis over this issues REC decided that:-

- (i) State Govt to furnish further justification on the effort that was put into finding revenue land by the State Govt so as to make strong justification case for diversion as required.
- (ii) The State Govt to provide a case on the admissibility of this proposal based on para 1.15 of the comprehensive guidelines of FCA Act, 1980 as discussed in REC.

(Dr. Partimal Chandra Bhattacharjee)
Non-Official Member

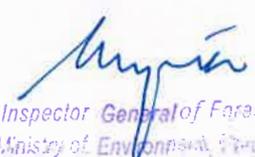
(Shri Pesom Sekong)
Non-Official Member


(Shri V. G. Jenner)
IC & Nodal Officer (FCA)
Govt of Tripura


(Shri W. J. Yathou)
DIG(FCC), Member Secretary


(Ms. Intienia Ao)
DDG, Chairman



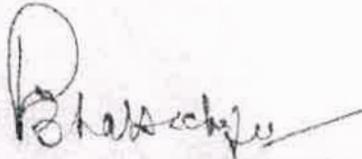

Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

(303)

was requested to take up the matter at the highest level. Further it was discussed that Ministry may consider as a one time approval in this case to solve the misery of the people involved. In the meantime State Govt is to bring out the justification of proposal in forest land instead of revenue land or non forest land with the supporting documents until the further clarifications and for relaxation comes in the guideline.

It has also been informed to the REC that the State Govt and Ministry of Environment, Forest & Climate Change, Govt of India is taking up the matter at the highest level of the Govt of India and additional information is being sought from Govt of Mizoram. In anticipation of the positive outcome of these efforts and recognizing the humanitarian crisis over this issues REC decided that:-

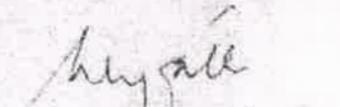
- (i) State Govt to furnish further justification on the effort that was put into finding revenue land by the State Govt so as to make strong justification case for diversion as required.
- (ii) The State Govt to provide a note on the admissibility of this proposal based on para 1.15 of the comprehensive guidelines of F(C)Act, 1980 as discussed in REC.



(Dr. Parimal Chandra Bhattacharjee)
Non-Official Member

(Shri Fesom Sekong)
Non-Official Member

(Shri.V.G.Jenner)
CCF & Nodal Officer (FCA)
Govt of Tripura

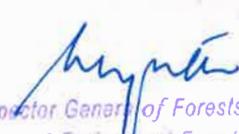


(Shri W.J. Yatbon)
DIG(FC), Member Secretary



(Ms. Intlenla Ao)
DDG, Chairman




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

902

was requested to take up the matter at the highest level. Further it was discussed that Ministry may consider as a one time approval in this case to solve the misery of the people involved. In the meantime State Govt is to bring out the justification of proposal in forest land instead of revenue land or non forest land with the supporting documents until the further clarifications and for relaxation comes in the guideline.

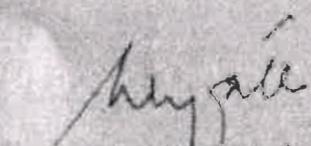
It has also been informed to the REC that the State Govt and Ministry of Environment, Forest & Climate Change, Govt of India is taking up the matter at the highest level of the Govt of India and additional information is being sought from Govt of Mizoram. In anticipation of the positive outcome of these efforts and recognizing the humanitarian crisis over this issues REC decided that:-

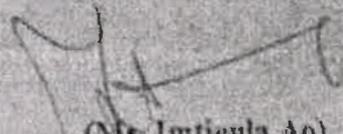
- (i) State Govt to furnish further justification on the effort that was put into finding revenues land by the State Govt so as to make strong justification case for diversion as required.
- (ii) The State Govt to provide a note on the admissibility of this proposal based on para 1.15 of the comprehensive guidelines of F(C)Act, 1980 as discussed in REC.

(Dr. Parimal Chandra Bhattacharjee)
Non-Official Member

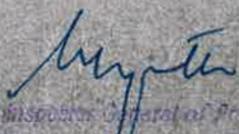

(Shri Fesom Sekong)
Non-Official Member

(Shri.V.G.Jenner)
CCF & Nodal Officer (FCA)
Govt of Tripura


(Shri W.J. Yathou)
DIG(FC), Member Secretary


(Ms. Imtiena Ao)
DDC, Chairman




Copy Inspector, General of Forests, (Central)
Govt of India, Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

File No.FC-11/204/2020-FC

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

Indira Paryavaran Bhawan
New Delhi - 110003
Dated: 21st December, 2020

To
The Regional Officer
Integrated Regional Office
MoEF&CC
Shillong.

Sub: Proposal for settlement of Bru families in Tripura-reg.

Madam,

Please refer to this Ministry DO letter no. FC-11/204/2020-FC dt 23.11.2020 (Copy Enclosed) on the subject mentioned above.

The matter was discussed in the meeting held on 15.12.2020 under the chairmanship of Home Secretary (Copy of Minutes of the meeting enclosed). In the meeting Chief Secretary Tripura informed that the Bru (Reang) migrants are forest dwellers from Mizoram and the same has been corroborated by Govt. of Mizoram and that they will be given permission to construct dwelling units without conferring any ownership of land. Therefore, de-notification of forest land may not be required.

It has been decided in the meeting that *the diversion of forest land for resettlement /rehabilitation of the Bru must be processed by MoEF, Gol (as a special case in relaxation of the existing guidelines, if required) urgently as the agreement has to be implemented in a time bound manner.*

In view of above, it is requested to kindly take necessary action in this regard.

Yours faithfully,

Sd/-

(Sandeep Sharma)

Assistant Inspector General of Forests

Copy for information:

1. The Home Secretary, Ministry of Home, New Delhi.
2. The Chief Secretary, Govt. of Tripura.
3. The Chief Secretary, Govt. of Mizoram.



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

Most Immediate

No. 7/32/97-NE-II
 Government of India / भारत सरकार
 Ministry of Home Affairs / गृहमंत्रालय
 NE Division / पूर्वोत्तरप्रभाग

North Block, New Delhi - 110001

नॉर्थ ब्लॉक, नई दिल्ली - 110001

Dated 15th December, 2020

Office Memorandum

Sub:- Minutes of the meeting held on 15.12.2020 under the chairmanship of Home Secretary to discuss issues relating to diversion of forest land for resettlement of Bru migrants in Tripura - Reg.

Enclosed please find herewith approved minutes of the meeting held under the Chairmanship of Home Secretary on 15.12.2020 at North Block, New Delhi to discuss issues relating to diversion of forest land for resettlement of Bru migrants in Tripura as per Agreement dated 16.01.2020, for information and necessary action.

(Rajiv Kumar)

Under Secretary to the Govt. of India

Telefax # 011-23092276

To,

1. Secretary, Ministry of Environment, Forest & Climate Change, Indra Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110003
2. Chief Secretary, Govt. of Tripura, Agartala
3. Chief Secretary, Govt. of Mizoram, Aizawl



(Signature)
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

191

Minutes of Meeting held on 15.12.2020 at 0300 PM under the Chairmanship of Home Secretary to discuss issues relating to diversion of forest land for resettlement of Bru migrants in Tripura

A meeting to discuss issues relating to diversion of forest land for resettlement of Bru migrants in Tripura was held on 15.12.2020 under the Chairmanship of the Union Home Secretary.

The list of participants is annexed.

1. JS (NE) briefed the participants on the issue of forest clearance for 13 diversion proposals submitted by Govt. of Tripura to MoEF, Gol for implementing the resettlement /rehabilitation of the Bru as per the Agreement Dtd. 16.01.2020 which has to be completed by 30.04.2021.
2. DG (Forests), MoEF, Gol informed that the de-notification of forest land needs to be carried out in order to grant ownership of land with the approval of Hon'ble Supreme Court
3. CS, Tripura informed that the Govt. of Tripura has submitted all proposals for diversion of forest land to regional office of MoEF, Shillong along with subsequent clarifications and compensatory afforestation proposals, wherever possible and the State Government is willing to bear the requisite charges for the same. He further informed that the Bru (Reang) migrants are forest dwellers from Mizoram and the same has been corroborated by Govt. of Mizoram and that they will be given permission to construct dwelling units without conferring any ownership of land. Therefore, de-notification of forest land may not be required.
4. After detailed deliberations, it was decided that the diversion of forest land for resettlement /rehabilitation of the Bru must be processed by MoEF.Gol (as a special case in relaxation of the existing guidelines, if required) urgently as the agreement has to be implemented in a time bound manner.
5. The meeting ended with a vote of thanks to the chair.



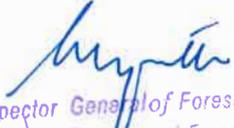
[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

190

ANNEXURELIST OF PARTICIPANTS

1. Shri Ajay Bhalla, Home Secretary – in Chair
2. Shri Manoj Kumar, Chief Secretary, Govt. of Tripura
3. Shri Sanjay Kumar, DC(Forests) & Spl Secy, MoEF&CC
4. Shri Piyush Goyal, Joint Secretary (NE)
5. Shri A.K. Mohanty, IG (Forest Conservation), MoEF&CC
6. Ms. Lalbiaklangi, Secy (Home), Govt. of Mizoram
7. Shri Krishna Mohan Uppu, Deputy Secretary (NE-III)




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

34

ANNEXURE R1 (E)

भारत सरकार /Govt of India

पर्यावरण , वन एवं जलवायु परिवर्तन मंत्रालय/Ministry of Environment, Forest & Climate Change
पूर्वोत्तर क्षेत्रीय कार्यालय/ North Eastern Regional Office, शिलांग /Shillong

REC बैठक के मिनट/ Minutes of the 36th REC meeting11th January, 2021

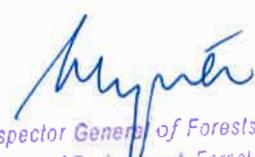
The following 9 Nos. of proposals (Agenda no 5 to 13) for settlement of BRU Migrant in the State of Tripura have been discussed by the REC:-

- ✓5. Proposal for diversion of 22.50 hectare forest land for resettlement of BRU migrants at location **Wainbukcherra- Ranipara** of Mouja Damcherra in favour of SDM Panisagar under North District.
- ✓6. Proposal for diversion of 20.00 Hectare of forest land for resettlement of BRU migrants at location **Kaskaupara** of Mouja Damcherra in favour of SDM Panisagar under North District.
- ✓7. Proposal for diversion of 10.00 hectare of forest land for settlement of BRU migrant at **Hadukulakpara** of Mouja Kulai RF in favour of SDM, Ambassa under Dhalai District.
- ✓8. Proposal for diversion of 10 ha of forest land for resettlement of Bru Migrant in **Nandiram para** under Ujanmachmara Mouja of Kanchanpur Sub-Division, North Tripura District.
- ✓9. Proposal for diversion of 10 ha of forest land for resettlement of Bru Migrant in **Bikramjoy Para** of Mouja --Ujanmachmara RF in favour of SDM Kanchanpur under North District.
- ✓10. Proposal for diversion of 25.00 hectare of forest land for settlement of BRU migrant of Mouja-CCRF in favour of SDM Kanchanpur under North District.
- ✓11. Proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant at location **Bhandarima mouja** CCRF in favour of SDM Kanchanpur under North District.
- ✓12. Proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant of mouja **Gachirampara** in favour of SDM Kanchanpur under North District.
- ✓13. Proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrants of mouja-**Mnau-Chailengta** RF in favour of SDM Kanchanpur under North District.

The REC was informed that the Regional Office, Shillong has received 13 nos. proposals for settlement of BRU Migrant from the Govt of Tripura. Out of these proposals, four proposals had been discussed in the 34th and 35th REC meeting and as recommended by REC these proposals were sent to Ministry for approval of the competent authority.

REC reiterated what was discussed in the last REC meetings about the importance of these proposals and the agreement signed between the Govt of India, Govt of Tripura, Govt of Mizoram and Bru Organisations while considering the above proposals. REC considering the sensitivity of the matter with immense human misery involved and as approved in the previous four cases informed that the recommendation of this proposals and further approval from the Ministry need to set a good precedence for any other relevant case in future.




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

(34)

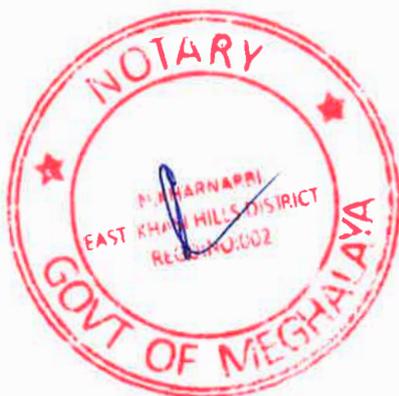
The REC further observed that the justification on the effort put by the State Govt into finding revenue land and steps to be taken by State Govt. to upset imminent pressure on surrounding forests immediately after rehabilitation has been provided satisfactorily by the State Govt in all the 9 nos. of the cases and accepted the same.

REC member observed that this being a special case and that such case may come up in the future the instant settlement should be such that it can be a model of sustainability with minimum pressure on surrounding forest now or in the future and one which can be model for any future settlement in forest areas. REC observed that land proposed will suffice for the present resettlement only but that there is a perceive threat of encroachment and pressure on the surrounding forest with an increase in their population, the need for future expansion of village and for other land and forest based livelihood activities. This needs to be avoided at all cost. To this end the state is well advised to prepare a detailed model micro plan for at least one or two sites that encompasses for livelihood activities to be taken u with special emphasis on non-forest based activities.

REC therefore requested State Govt to organize a workshop for getting all the Departments of the State dealing with different aspects of Development like Fisheries, Horticulture, Agriculture, Sericulture etc for a common platform to take up concerted conceited effort to ensure that the settlement of the Brus will be a success story and not adversely affect the surrounding areas by ensuring maximum opportunities of alternate employment and sustainable land use.

REC further discussed on the numbers of the employment likely to be generated in all the 9 nos of proposals. It was pointed out that the stated 2000 mandates against a proposal works out to be only 200 days of employment generated for 10 people for one year only which is unrealistic. The state should take maximum efforts to source both skilled and unskilled labors from the Community during the establishment period instead of bring labour from outside. Therefore, State was also advised to recalculate the employment to be generated during the implementation of the project. along with other State's recommendation i.e. vehicle, Interpretation centre, etc. REC observed that three (3) Nos of vehicles has been recommended by the State in the same division in North District of Tripura and one (1) Nos of vehicles in Dhalai district. REC asked the State Govt why 3 nos of vehicle has been proposed in the same division and in the same district. The DFO, North, Govt of Tripura has clarified that 8 numbers of proposed areas located in the North district of Tripura is a remote inaccessible district and proposed sites are far apart from one another and these 3 nos. of vehicles recommended in three proposals will help to carry out the extensive patrolling of the proposed area in the field. REC agreed for two nos. of vehicles. The state was also asked for review of the proposals for 3 nature interpretation centers in close proximity to each other keeping in view the distinct flora and fauna, convenience of visitors, benefit to community etc.

Thereafter the proposals was discussed as follows:-



[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

AGENDA (5)

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र (हेक्टेयर में)/ Area (in ha)
F. No. 3-TR C 101/2020-SHI	Proposal for diversion of 22.50 hectare forest land for resettlement of BRU migrants at location Wainbukcherra- Ranipara of Mouja Damcherra in favour of SDM Panisagar under North District.	Tripura	22.50

The Proposal for diversion of 22.50 hectare forest land for resettlement of BRU migrants at location Wainbukcherra- Ranipara of Mouja Damcherra in favour of SDM Panisagar under North District was discussed by the REC members. REC was also informed that user agency has submitted alternate sites examined by them along with justification for accepting the current site which was discussed and accepted.

REC observed that the legal status of the proposed land is **Reserve Forest** and density of the proposed area is 0.65 and Eco Class- 1. The following purpose wise break up was discussed by the REC:-

SI. No.	Area in ha	Purpose
1.	0.70	Approach Road
2.	5.57	Homestead
3.	15.96	Community assets(internal road & drainage system, House, School & Playground, Drinking water facilities, Community hall,Market Places etc)
4.	0.09	Approach Road
	22.50	

The proposal will affect 61 nos of trees. The cost of the project i.e 650 lakhs. The aerial distance of the proposed site from the nearest Protected Area i.e. Rowa Wildlife Sanctuary is 19.6 km.

The compensatory afforestation site has been proposed over an equivalent non-forest land of 22.50 ha in Khatian No ½, CS plot no 49(P), where 11250 nos of saplings shall be planted @ 500 nos seedlings per ha through ANR and rest of plantation will be accommodated by planting 11250 no saplings @ 1000 nos saplings per ha through ANR in alternative degraded forest land of 11.25 ha in Khatian No 4/3, CS plot no 2522. in Damcherra Range, Dharmanagar Forest Sub Division, in North District of Tripura. The REC discussed the DSS report of the proposed site and the compensatory afforestation site and accepted both the proposed area and CA site.

REC discussed and agreed on the following justification submitted by the State Govt:-

(i) Effort put by the State Govt into finding revenue land:-

1. Efforts were made to identify suitable Khas land but no suitable and contiguous khas land or encumbrance free khas land of requisite quantum was found for settlement of Bru migrants. Moreover the type of land is also basically hilly with

[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong



high gradient, tough terrain and cherra etc with deep forest which is not suitable for settlement.

2. There is also stiff resistance and objection from the locals in respect of khas land as these khas land are not free from encumbrance.

(ii) Steps to be taken by State Govt. to upset imminent pressure on surrounding forests immediately after rehabilitation.

1. To reduce immediate pressure on surrounding forest after rehabilitation, the forest Department would be taking up preventive measures as required.
2. To reduce the dependence on the forest by the resettled Brus, livelihood programmes, wage employment schemes of the Govt and upskilling and vocational training would be taken up on priority.
3. MGNREGA job card will be provided for wage employment. Employment will be generated by forming SHGs under TRIM/NRLM for livelihood projects and also by implementing Skill Development Programme of Govt.
4. Dependency on the use of firewood will be reduced by providing LPG connections.
5. All stake holders departments will be actively involved for overall development of the resettled families.

REC deliberated the proposal and recommended the proposal for diversion of 22.50 hectare forest land for resettlement of BRU migrants at location Wainbukeherra- Ranipara of Mouja Damcherra in favour of SDM Panisagar under North District with conditions for resettlement proposals, subject to:-

- (i) Submission of revised quantum of employment expected to be generated.

AGENDA (6)

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र हेक्टेयर में Area(in ha)
F. No. 3-TR C 083/2020-SII	Diversion of 20.00 Hectare of forest land for resettlement of BRU migrants at location Kaskaupara of Mouja Damcherra in favour of SDM Panisagar under North District.	Tripura	20

The Proposal for diversion of 20.00 Hectare of forest land for resettlement of BRU migrants at location Kaskaupara of Mouja Damcherra in favour of SDM Panisagar under North District was discussed by the REC members.

REC observed that the legal status of the proposed land is Reserve Forest and density of the proposed area is 0.4 and Eco Class- I. The cost of the project is Rs 650 lakhs. The proposal will affect 137 nos. of trees and the aerial distance of the proposed site from the nearest Rowa Wildlife Sanctuary is 14.05 km. The user agency also submitted alternate sites examined and the reasons for accepting the current sites has been discussed and accepted.



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

343

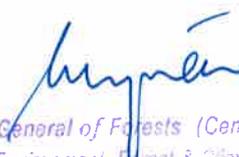
The purpose wise break-up of the proposed site was observed by REC as below:-

Sl. No.	Area in ha	Purpose
1.	11.95	Greenery, Market, AWC, DTW, School, Road, Houses
2.	1.14	Houses
3.	0.69	Houses
4.	1.15	AWC, Road & Houses
5.	0.06	Road & Houses
6.	0.04	Houses
7.	0.11	Road & Houses
8.	0.12	Houses
9.	0.32	Houses
10.	0.03	Houses
11.	0.06	Houses
12.	0.19	Road & Houses
13.	0.66	Road & Houses
14.	0.08	Houses
15.	0.96	Houses
16.	0.72	Road & Houses
17.	1.66	Road & Houses
Total	20	

REC observed that compensatory afforestation has been identified in an area of (i) **20 ha equivalent non-forest land** (i.e. 13.8 ha and 6.20 ha in C.S. Plot No 364(P) and No 381(P), Khaitan No 1/1 and 1/18 respectively) in Rahumcherra mouja, Damcherra Range, Damcherra Forest Division, North district of Tripura where 5000 nos saplings shall be accommodated through ANR@ 215 nos saplings per hectare and **15 ha degraded forest land** in C.S. Plot No 11,12,13,14,15, 16,17,18,101, 102,103, 104, 105, Khatian No. 2/2,2/3,2/11 in Kanchanpur Forest Division in North District where the rest of plantation will be accommodated by planting 15,000 nos saplings @1000 nos saplings per hectare. The REC discussed the DSS report of the proposed site and the compensatory afforestation site and accepted both the proposed area and CA site.

REC deliberated the proposal and recommended the proposal for diversion of 20.00 Hectare of forest land for resettlement of BRU migrants at location Kaskaupara of Mouja Damcherra in favour of SDM Panisagar under North District with usual conditions for resettlement proposals subject to submission of revised quantum of employment likely to be generated.




 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

242

AGENDA (7)

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र हेक्टेयर में Area (in ha)
F. No. 3-TR C 88/2020-SHI	Diversion of 10.00 hectare of forest land for settlement of BRU migrant at Hadukulakpara of Mouja Kulai RF in favour of SDM, Ambassa under Dhalai District.	Tripura	10.00

The proposal for diversion of 10.00 hectare of forest land for settlement of BRU migrant at Hadukulakpara of Mouja Kulai RF in favour of SDM, Ambassa under Dhalai District was discussed by the REC members. REC was also informed that user agency has submitted alternate sites examined by them along with justification for accepting the current site which was discussed and accepted.

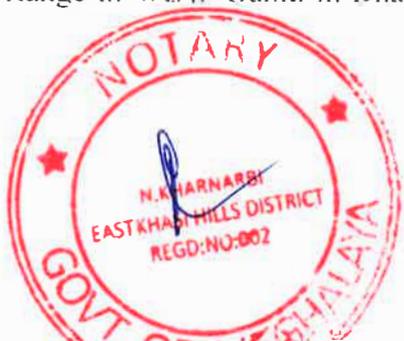
REC observed that the legal status of the proposed land is Reserve Forest and density of the proposed area is 0.6 and Eco Class- I. The cost of the project is Rs 1710.77368/- lakhs.

The purpose wise break up of the proposed site is observed as below:-

Sl. No.	Area in hectare	Purpose
1.	6.07	Construction of dwelling house
2.	0.40	Construction of school building
3.	0.16	Construction of AW centre
4.	2.57	Land to be used for community purpose(internal road, market, water body, water supply point & community centre etc)
5.	0.80	Approach Road
Total	10	

The proposal will affect 423 nos of trees and the aerial distance of the proposed site from the nearest Gumti Wildlife Sanctaury is 8.79 km.

REC observed that compensatory afforestation has been identified over an equivalent **non-forest land** of **10 ha** in khatian No 1/34, 1/36, 1/37, Plot No 912, 923,939,931,932,933/933/p. in Bagmara mouja in Ambassa TK and Khatian No. 1/2, Plot No 87/p in Kulai Extension in Dalubari TK in Ambassa Range, Ambassa Forest Division, where around 3000 plants can be accommodated through ANR and rest of the plantation will be accommodated by planting 7000 nos saplings in **degraded forest land** (1000 per ha) of **7 ha** in CS plot Kh 2/3, Plot No.61/P in Ganganagar Range in WLW Gumti in Dhalai district. The REC discussed the DSS report of the



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

proposed site and the compensatory afforestation site and accepted both the proposed area and CA site.

REC discussed and agreed on the following justification submitted by the State Govt:-

(i) Effort put by the State Govt into finding revenue land

- a) On query of the Land bank, it has been observed that there is no land measuring the area of 10.00 ha or above in a contiguous areas wherein 350 Nos family can be settled.
- b) The lands which are available under situated scattered area in a small quantum of land if, the said small quantum of land is used for resettlement of Bru migrants, resulting which development works in future cannot be carried out due to constraint of land which will be a deprivation of the peoples in general.
- c) The district administration is compelled to propose for settlement in the forest land.
- d) There is no suitable revenue land in the District. Moreover, while selection of any place for settlement of the migrant peoples in a place, cultural similarity with the existing inhabitants of the forest dwellers is to be considered to avoid any future displacement on account of conflict between different ethnic groups

(ii) Steps to be taken by State Govt. to upset imminent pressure on surrounding forests immediately after rehabilitation.

- a) The existing law of the land seems to be sufficient to prevent encroachment, illegal felling of trees and other forest related irregularities, offence etc.
- b) But still giving due honour to the observation and direction Regional empower committee (REC) Shillong in its 34th meeting held on 29.10 2020, framing of such strict guideline, in addition to, but within the purview of existing law of land in force may be taken up at state level
- c) The enforcement team of forest department will be engaged for close vigilance over the proposed area so that they cannot do any illegal activities against the existing forests.
- d) Moreover, a family profile would be prepared after their settlement or ensuring their livelihood is less dependent on adjacent forest area. The village committee would be given responsibility for preserving the adjacent forests.
- e) All kinds of measures will be taken carefully for avoiding additional impact on existing forest properties in the neighboring areas

REC deliberated the proposal and recommended the proposal for diversion of 10.00 hectare of forest land for settlement of BRU migrant at Hadukulakpara of Mouja Kulai RF in favour of SDM, Ambassa under Dhalai District with usual conditions for resettlement proposals, subject to submission of revised quantum of employment likely to be generated.



[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

340

AGENDA (8)

फ़ाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र (हेक्टेयर में) / Area(in ha)
F.No. 3-TR C 090/2020-SIII	Diversion of 10 ha of forest land for resettlement of Bru Migrant in Nandiram para under Ujanmachmara Mouja of Kanchanpur Sub-Division, North Tripura District.	Tripura	10.00

The Proposal for diversion of 10 ha of forest land for resettlement of Bru Migrant in Nandiram para under Ujanmachmara Mouja of Kanchanpur Sub-Division, North Tripura District was discussed by the REC members. REC was also informed that user agency has submitted alternate sites examined by them along with justification for accepting the current site which was discussed and accepted.

REC observed that the legal status of the proposed land is Reserve Forest and density of the proposed area is 0.5 and Eco Class- I. The cost of the project is Rs. 1500 lakhs.

The purpose wise break up of the proposed site is observed as below:-

Sl. No.	Area in Acre	Purpose
1.	22.10	Resettlement location land area
2.	2.00	School Land area
3.	0.10	AWC land area
4.	0.10	Health Sub Centre land area
5.	0.10	Roads land area
6.	0.20	Community Hall
7.	0.10	DWS, PUMP house land area
	24.70	
	acres	

The proposal will affect 209 nos of trees. The aerial distance of the proposed site from the nearest Rowa WLS is 18.6 km.

The compensatory afforestation is proposed over double the degraded forest area of 20 ha in CS Plot No 50, Khatian No 2/2 in Paschim Tilthai Mouja, Pani sagar Range, Dharmanagar Forest Division, North District . The REC discussed the DSS report of the proposed site and the compensatory afforestation site and accepted both the proposed area and CA site.

REC discussed and agreed on the following justification submitted by the State Govt:-

(i) Effort put by the State Govt into finding revenue land

a) Only 356.259 ha Khas land (revenue Land) is available at Ujanmachmara RF Mouja.



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

339

- b) The available Khas Land (revenue Land) is not contiguous and no single contiguous Khas land plot is adequate for settlement of 300 families.
- c) Maximum portion of available Khas land (revenue Land) is Cherra, Nadi, Path etc which is not found to be suitable for settlement.
- d) Brus being primitive tribal group also prefer forest land for settlement.
- e) Khas land is not free from encumbrance in most cases and local objection has been raised in different places.
- f)

(ii) Steps to be taken by State Govt. to upset imminent pressure on surrounding forests immediately.

- a) MGNREGA cards will be provided to discourage jhuming and collection of forest produce.
- b) Skill development training in traditional crafts, food processing and small scale industries are in the pipeline. Tailoring and beauty parlour has been preferred by the women for livelihood. Keeping this in mind, Government has also decided to provide the same to IDP women.
- c) With High quality education and scholarships assured to the younger generation, Dependence on forest would eventually be minimal.
- d) SHG formation under TRLM is contemplated.
- e) Ujjwala scheme for free LPG connection will be implemented for reducing dependence on firewood.

REC deliberated the proposal and recommended the proposal for diversion of 10 ha of forest land for resettlement of Bru Migrant in Nandiram para under Ujanmachmara Mouja of Kanchanpur Sub-Division, North Tripura District with usual conditions for resettlement proposals subject to submission of revised quantum of employment likely to be generated.

AGENDA (9)

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र (हेक्टेयर में) Area(in ha)
F.No. 3-TR C 091/2020-SHI	Diversion of 10 ha of forest land for resettlement of Bru Migrant in Bikramjoy Para of Mouja – Ujanmachmara RF in favour of SDM Kanchanpur under North District.	Tripura	10.00

The Proposal for diversion of 10 ha of forest land for resettlement of Bru Migrant in Bikramjoy Para of Mouja –Ujanmachmara RF in favour of SDM Kanchanpur under North District was discussed by the REC members. REC was also informed that user agency has submitted alternate sites examined by them along with justification for accepting the current site which was discussed and accepted.



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

(330)

REC observed that the legal status of the proposed land is Reserve Forest and density of the proposed area is 0.65 and Eco Class- I. The purpose wise break up of the proposed site is observed as below:-

Sl. No.	Area in ha	Purpose
1.	8.947	Dwelling units with small paths and drains in between Homesteads Community assets School
2.	1.013	AWC, Health Sub Centre, Community Hall, DWS pump house.
3.	0.080	Approach Road.
	25 ha	

The proposal will affect 329 nos of trees. The aerial distance of the proposed site from the nearest Rowa WLS is 14.25 km. The cost of the project is Rs. 1000 lakhs.

The compensatory afforestation is proposed over double the degraded forest area of 20 ha double the degraded forest land in Pani Sagar Range in Dharmanagar in North Tripura. REC observed that the photographs submitted by the State Govt and DSS depicts that the proposed CA area falls under moderately dense forest. However State Govt could not justify the factual ground details of the CA area. REC informed the State Govt to provide a detailed report on the proposed CA area mentioning the density along with photographs after ground verification by an officer not below the rank of Conservator of Forests is to be submitted to Regional Office, Shillong.

REC discussed and agreed on the following justification submitted by the State Govt:-

(i) Effort put by the State Govt into finding revenue land

- Only 350.259 Ha Khas land (revenue land) is available at Ujanmachmara RF Mouja.
- The available Khas land (revenue land) is not contiguous and no single contiguous land plot is adequate for settlement of 300 families.
- Maximum portion of available Khas land (revenue land) is Cherra, Nadi path etc. which is not found to be suitable for settlement.
- Brus being primitive tribal group also prefer forest land for settlement.
- Khas land is not free from encumbrance in most cases and local objection has been raised in different places.

(ii) Steps to be taken by State Govt. to upset imminent pressure on surrounding forests immediately after rehabilitation.

- MGNREGA cards will be provided to discourage jhuming and collection of forest produce.
- Skill development training in traditional crafts, food processing and small scale industries are in the pipeline. Tailoring and beauty parlour has been preferred by the women for livelihood. Keeping this in mind, Government has also decided to produce the same to IDP women.
- With high quality education and scholarships assured to the younger generation dependence on forest would eventually be minimal.



[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

- d) SHG formation under TRLM is contemplated.
e) Ujjwala scheme for free LPG connection will be implemented for reducing dependence on firewood.

REC deliberated the proposal and recommended the proposal for diversion of 10 ha of forest land for resettlement of Bru Migrant in Bikramjoy Para of Mouja –Ujanmachmara RF in favour of SDM Kanchanpur under North District with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) A detailed report on the proposed CA area mentioning the density along with photographs after ground verification by an officer not below the rank of Conservator of Forests.
(ii) The number of people/person days likely to be employed temporary & permanent by the project.

AGENDA (10)

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र (हेक्टेयर में) / Area(in ha)
F.No. 3-TR C 087/2020-SHI	Diversion of 25.00 hectare of forest land for settlement of BRU migrant of Mouja-CCRF in favour of SDM Kanchanpur under North District.	Tripura	25.00

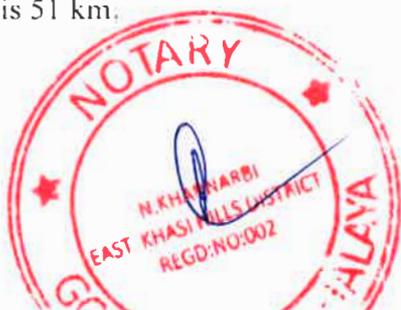
The Proposal for diversion of 25.00 hectare of forest land for settlement of BRU migrant of **Mouja-CCRF** in favour of SDM Kanchanpur under North District was discussed by the REC members.

REC observed that the legal status of the proposed land is Reserve Forest and density of the proposed area is 0.65 and Eco Class- I. The cost of the project is 2500/- lakhs. REC was also informed that user agency has submitted alternate sites examined by them along with justification for accepting the current site which was discussed and accepted.

The purpose wise break up of the proposed site is observed as below:-

Sl. No.	Area in ha	Purpose
1.	23.871	Dwelling units with small paths and drains in between Homesteads
2.	1.049	Community assets-School, AWC, Health Sub Centre, Community Hall, DWS pump house.
3.	0.080	Approach Road.
	25 ha	

The proposal will affect 783 nos of trees. The aerial distance of the proposed site from the nearest Rowa WLS is 51 km.



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

330

The compensatory afforestation is proposed over double the degraded forest area of 70 ha i.e. degraded forest land in Damcherra range, Kanchanpur Forest Sub Division in North where 50000 nos of seedlings shall be planted @ 715 nos seedlings per ha through ARN. REC observed that the photographs submitted by the State Govt and DSS depicts that the proposed CA area falls under moderately dense forest. However State Govt could not justify the factual ground details of the CA area. REC informed the State Govt to provide a detailed report on the proposed CA area mentioning the density along with photographs after ground verification by an officer not below the rank of Conservator of Forests is to be submitted to Regional Office, Shillong.

REC discussed and agreed on the following justification submitted by the State Govt:-

(i) Effort put by the State Govt into finding revenue land

- a) Only 112.829 ha Khas land (revenue Land) is available at CCRFMouja.
- b) The available Khas Land (revenue Land) is not contiguous and no single contiguous Khas land plot is adequate for settlement of 1000 families i.e. 25 ha.
- c) Maximum portion of available Khas land (revenue Land) is Cherra, Nadi, Path etc which is not found to be suitable for settlement.
- d) Brusbeing primitive tribal group also prefer forest land for settlement.
- e) Khasland is not free from encumbrance in most cases and local objection has been raised in different places.

(ii) State to be taken up by the State Government to upset imminent pressure on surrounding forests immediately after rehabilitation

- a) Settlement location will be fenced to reduce strain on neighbouring areas.
- b) MGNREGA cards will be provided to discourage jhuming and collection of forest produce.
- c) Skill development training in traditional crafts, food processing and small scale industries are in the pipeline. Tailoring and beauty parlour has been preferred by the women for livelihood. Keeping this in mind, Government has also decided to provide the same to IDP women.
- d) With High quality education and scholarships assured to the younger generation. Dependence on forest would eventually be minimal.
- e) SHG formation under TRLM is contemplated.
- f) Ujjwala scheme for free LPG connection will be implemented for reducing dependence on firewood.



[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

REC deliberated the proposal and recommended the proposal for diversion of 25.00 hectare of forest land for settlement of BRU migrant of Mouja-CCRF in favour of SDM Kanchanpur under North District with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) A detailed report on the proposed CA area mentioning the density along with photographs after ground verification by an officer not below the rank of Conservator of Forests.
- (ii) Revised quantum of employment likely to be generated.

AGENDA (11)

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र (हेक्टेयर में) / Area(in ha)
F.No. 3-TR C 094/2020-SHI	Diversion of 25.00 hectare of forest land for resettlement of BRU migrant at location Bhandarima mouja CCRF in favour of SDM Kanchanpur under North District.	Tripura	25.00

The Proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant at location Bhandarima mouja CCRF in favour of SDM Kanchanpur under North District was discussed by the REC members. REC was also informed that user agency has submitted alternate sites examined by them along with justification for accepting the current site which was discussed and accepted.

REC observed that the legal status of the proposed land is Reserve Forest and density of the proposed area is 0.55 and Eco Class- 1. The cost of the project is 2500/- lakhs.

The purpose wise break up of the proposed site is observed as below:-

Sl. No.	Area in ha	Purpose
1.	23.871	Dwelling units with small paths and drains in between Homesteads
2.	1.049	Community assets-School, AWC, Health Sub Centre, Community Hall, DWS pump house.
3.	0.080	Approach Road.
	25 ha	

The proposal will affect 397 nos of trees. The aerial distance of the proposed site from the nearest Rowa WLS is 32.34 km.



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

334

The compensatory afforestation is proposed over double the degraded forest area of **53.4 ha** i.e. degraded forest land in two patches i.e. **45 ha** in Khatian No. 2/15, 2/17, 2/18 in Chandipur mouja and Ujjan Machmara mouja, Kanchanpur Range, Kanchanpur Forest Sub Division in North District where 45000 nos of saplings shall be planted @ 1000 saplings per ha through AR and in **8.4 ha** in Khatian No. 2/46, 2/5 Indurail mouja, Panisagar Range, Kanchanpur Forest Sub Division in North District where a total of 5000 nos saplings shall be planted @ 596 nos saplings through ANR.

REC discussed and agreed on the following justification submitted by the State Govt:-

(i) Effort put by the State Govt into finding revenue land

- a) Only 112.829 ha Khas land (revenue land) is available at CCRF mouja.
- b) The available Khas land (revenue land) is not contiguous and no single contiguous Khas land plot is adequate for settlement of 1000 families.
- c) Maximum portion of available Khas land (revenue land) is Cherra, Nadi, path etc. which is not found to be suitable for settlement.
- d) Brus being primitive tribal group also prefer forest land for settlement.
- e) Khas land is not free from encumbrance in most cases and local objection has been raised in different places.

(ii) Steps to be taken by State Govt. to upset imminent pressure on surrounding forests immediately after rehabilitation.

- a) Settlement location will be fenced to reduce strain on neighboring areas.
- b) MGNREGA cards will be provided to discourage homing and collection of forest produce.
- c) Skill development training in traditional crafts, food processing and small scale industries are in the pipeline. Tailoring and beauty parlour has been preferred by the women for livelihood. Keeping this in mind, Government has also decided to provide the same to IDP women.
- d) With high quality education and scholarships assured to the younger generation, dependence on forest would eventually be minimal.
- e) SHG formation under TRLM is contemplated.
- f) Ujjwala scheme for free LPG connection will be implemented for reducing dependence on firewood.

REC deliberated the proposal and recommended the proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant at location Bhandarima mouja CCRF in favour of SDM Kanchanpur under North District in favour of SDM Kanchanpur under North District with



Signature
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

333

usual conditions for resettlement proposals subject to submission of revised quantum of employment likely to be generated.

AGENDA (12)

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र हेक्टेयर में / Area(in ha)
F.No. 3-TR C 093/2020-SHI	Diversion of 25.00 hectare of forest land for resettlement of BRU migrant of mouja Gachirampara in favour of SDM Kanchanpur under North District.	Tripura	25.00

The Proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant of mouja Gachirampara in favour of SDM Kanchanpur under North District under North District was discussed by the REC members. REC was also informed that user agency has submitted alternate sites examined by them along with justification for accepting the current site which was discussed and accepted.

REC observed that the legal status of the proposed land is Unclass Forest and density of the proposed area is 0.2 and Eco Class- 1. The cost of the project is 2000/-lakhs.

The purpose wise break up of the proposed site is observed as below:-

Sl. No.	Area in ha	Purpose
1.	23.871	Dwelling units with small paths and drains in between Homesteads
2.	1.049	Community assets-School, AWC, Health Sub Centre, Community Hall, DWS pump house.
3.	0.080	Approach Road.
	25 ha	

The proposal will affect 187 nos of trees. The aerial distance of the proposed site from the nearest Rowa WLS is 42.65 km.

The compensatory afforestation is proposed over double the degraded forest area of 50 ha degraded forest land in two patches i.e. 25 ha each in Dancherra range and Panisagar Range in Kanchanpur Forest Sub Division in North Tripura.

REC discussed and agreed on the following justification submitted by the State Govt:-

(i) Effort put by the State Govt into finding revenue land

- Only 434.497 ha has land (revenue land) is available at Gachirampara mouja.
- The available Khas land (revenue land) is not contiguous and no single contiguous Khas land plot is adequate for settlement of 1000 families i.e 25 hectares.



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forests & Climate Change
North Eastern Regional Office, Shimgu

- 030
- c) Maximum portion of available Khas land (revenue land) is Cherra, Nadi, path etc. which is not found to be suitable for settlement.
 - d) Bros being primitive tribal group also prefer forest land for settlement.
 - e) Khas land is not free from encumbrance in most cases and local objection has been raised in different places.

(ii) Steps to be taken by State Govt. to upset imminent pressure on surrounding forests immediately after rehabilitation.

- a) MGNREGA cards will be provided to discourage jhuming and collection of forest produce.
- b) Skill development training in traditional crafts, food processing and small scale industries are in the pipeline. Tailoring and beauty parlour has been preferred by the women for livelihood. Keeping this in mind, Government has also decided to provide the same to IDP women.
- c) With high quality education and scholarships assured to the younger generation, dependence on forest would eventually be minimal.
- d) SHG formation under TRLM is contemplated.
- e) Ujjwala scheme for free LPG connection will be implemented for reducing dependence on firewood.

REC deliberated the proposal and recommended the proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant of mouja Gachirampara in favour of SDM Kanchanpur under North District in favour of SDM Kanchanpur under North District for sending to Ministry for approval of the competent authority with usual conditions for resettlement proposals subject to submission of revised quantum of employment likely to be generated.

AGENDA (13)

फाइल संख्या /File No.	प्रस्ताव का नाम /Name of the proposal	राज्य /State	क्षेत्र (हेक्टेयर में) Area(in ha)
F.No. 3-TR C 089/2020-SHI	Diversion of 25.00 hectare of forest land for resettlement of BRU migrant of Mouja-Manu-Chailengta RF in favour of SDM Kanchanpur under North District.	Tripura	25.00

The Proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant of Mouja-Manu-Chailengta RF in favour of SDM Kanchanpur under North District under North District was discussed by the REC members. REC was also informed that user agency has




 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest and Climate Change
 North Eastern Regional Office, Shillong

submitted alternate sites examined by them along with justification for accepting the current site which was discussed and accepted.

REC observed that the legal status of the proposed land is Reserves Forest and density of the proposed area is 0.55 and Eco Class- I. The cost of the project is 2000/- lakhs.

The purpose wise break up of the proposed site is observed as below:-

Sl. No.	Area in ha	Purpose
1.	23.871	Dwelling units with small paths and drains in between Homesteads
2.	1.049	Community assets-School, AWC, Health Sub Centre, Community Hall, DWS pump house.
3.	0.080	Approach Road.
	25 ha	

REC requested the State Govt to clarify on the area involved for road as mentioned in the above break up. Nodal Officer (FCA) informed that the area involved for road is 0.4 ha. REC further requested to provide the detailed break up of the 5.657 ha which is kept as Colony Road, Lunga (Unusable), etc in the purpose wise break up.

The proposal will affect 171 nos of trees. The aerial distance of the proposed site from the nearest Rowa WLS is 32.34 km.

The compensatory afforestation is proposed over double the degraded forest area of 70 ha in degraded forest land in CS Plot No 478, 493, 483, 484, Khatain No 2/22, 2/21 Darncherra Mouja, Damcherra range, Kanchanpur Forest Sub Division in North where 50000 nos of seedlings shall be planted @ 715 nos seedlings per ha through ANR. REC observed that the photographs submitted by the State Govt and DSS depicts that the proposed CA area falls under moderately dense forest. However State Govt could not justify the factual ground details of the CA area. REC informed the State Govt to provide a detailed report on the proposed CA area mentioning the density along with photographs after ground verification by an officer not below the rank of Conservator of Forests is to be submitted to Regional Office, Shillong.

REC discussed and agreed on the following justification submitted by the State Govt:-

(i) Effort put by the State Govt into finding revenue land

- Only 18.392 Hac Khas land (revenue land) is available in Manuchailengta RF mouja.
- The available Khas land (revenue land) is not contiguous and not adequate for settlement of 1000 families.
- Type of Khas land (revenue land) is Cherra, Nadi, path etc. which is not found to be suitable for settlement.
- Bru's being primitive tribal group also prefer forest land for settlement.
- Khas land is not free from encumbrance in most cases, as local objection has been raised.


Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest and Climate Change
North Eastern Regional Office, Shillong



331

(ii) Steps to be taken by State Govt. to upset imminent pressure on surrounding forests immediately after rehabilitation

- a) Their settlement location will be fenced to reduce strain on neighboring areas.
- b) MGNREGA cards will be provided to discourage jhumming and collection of forest produce.
- c) Skill development training in traditional crafts, food processing and small scale industries are in the pipeline. Tailoring and beauty parlour has been preferred by the women for livelihood. Keeping this in mind, Government has also decided to provide the same to IDP women.
- d) With high quality education and scholarships assured to the younger generation, dependence on forest would eventually be minimal.
- e) SHG formation under TRLM is contemplated.
- f) Ujjwala scheme for free LPG connection will be implemented for reducing dependent on firewood.

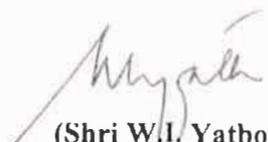
REC deliberated the proposal and recommended the proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant of Mouja-Manu-Chailengta RF in favour of SDM Kanchanpur under North District in favour of SDM Kanchanpur under North District with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) A detailed report on the proposed CA area mentioning the density along with photographs after ground verification by an officer not below the rank of Conservator of Forests.
- (ii) Revised quantum of employment likely to be generated.

(Dr. Parimal Chandra Bhattacharjee)
Non-Official Member

(Shri Yambos Murray)
Non-Official Member

(Shri Amit Shukla)
CCF & Nodal Officer (FCA)
Govt of Tripura


(Shri W.I. Yathbon)
DIG(FC), Member Secretary


(Mr. Imtiena Ao)
DDG, Chairman




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

300

- (ii) Steps to be taken by State Govt. to upset imminent pressure on surrounding forests immediately after rehabilitation
- Their settlement location will be fenced to reduce strain on neighboring areas.
 - MGNREGA cards will be provided to discourage jhumming and collection of forest produce.
 - Skill development training in traditional crafts, food processing and small scale industries are in the pipeline. Tailoring and beauty parlour has been preferred by the women for livelihood. Keeping this in mind, Government has also decided to provide the same to IDP women.
 - With high quality education and scholarships assured to the younger generation, dependence on forest would eventually be minimal.
 - SHG formation under TRLM is contemplated.
 - Ujjwala scheme for free LPG connection will be implemented for reducing dependent on firewood.

RBC deliberated the proposal and recommended the proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrants of Mouja-Manu-Chailengta RF in favour of SDM Kanchanpur under North District in favour of SDM Kanchanpur under North District with usual conditions for resettlement proposals subject to the submission of the following:-

- A detailed report on the proposed CA area mentioning the density along with photographs after ground verification by an officer not below the rank of Conservator of Forests.
- Revised quantum of employment likely to be generated.

(Dr. Parimal Chandra Bhattacharjee)
Non-Official Member

(Shri Yambos Murray)
Non-Official Member

(Shri Amit Shukla)
CCF & Nodal Officer (FCA)
Govt of Tripura

(Shri W.I. Yathou)
DIG(FC), Member Secretary

(Ms. Intienla Ao)
DDG, Chairman



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest and Climate Change
North Eastern Regional Office, Shillong

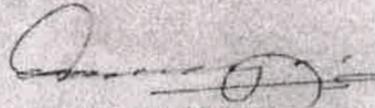
(ii) Steps to be taken by State Govt. to upset imminent pressure on surrounding forests immediately after rehabilitation

- a) Their settlement location will be fenced to reduce strain on neighboring areas.
- b) MGNREGA cards will be provided to discourage jhumming and collection of forest produce.
- c) Skill development training in traditional crafts, food processing and small scale industries are in the pipeline. Tailoring and beauty parlour has been preferred by the women for livelihood. Keeping this in mind, Government has also decided to provide the same to IDP women.
- d) With high quality education and scholarships assured to the younger generation, dependence on forest would eventually be minimal.
- e) SHG formation under TRIM is contemplated.
- f) Ujjwala scheme for free LPG connection will be implemented for reducing dependent on firewood.

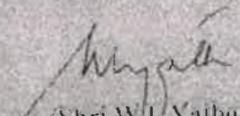
REC deliberated the proposal and recommended the proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant of Mouja-Manu-Challengta RF in favour of SDM Kancharpur under North District in favour of SDM Kancharpur under North District with usual conditions for resettlement proposals subject to the submission of the following:-

- (i) A detailed report on the proposed CA area mentioning the density along with photographs after ground verification by an officer not below the rank of Conservator of Forests.
- (ii) Revised quantum of employment likely to be generated.

(Dr. Parimal Chandra Bhattacharjee)
Non-Official Member


(Shri Yambos Murray)
Non-Official Member

(Shri Amit Shukla)
CCF & Nodal Officer (FCA)
Govt of Tripura


(Shri W.L. Yabon)
DIG(FC), Member Secretary

(Ms. Jintarla Ao)
DIG, Chairman


25/1/2021

Sc 'B'



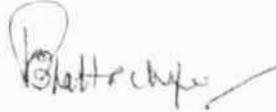

Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

produce. c) Skill development training in traditional crafts, food processing and small scale industries are in the pipeline. Tailoring and beauty parlour has been preferred by the women for livelihood. Keeping this in mind, Government has also decided to provide the same to IDP women.

- d) With high quality education and scholarships assured to the younger generation, dependence on forest would eventually be minimal.
- e) SHG formation under TRLM is contemplated.
- f) Ujjwala scheme for free LPG connection will be implemented for reducing dependent on firewood.

REC deliberated the proposal and recommended the proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant of Mouja-Manu-ChailengtaRI in favour of SDM Kanchanpur under North District in favour of SDM Kanchanpur under North District with usual conditions for resettlement proposal subject to the submission of the following:-

- (i) A detailed report on the proposed CA area mentioning the density along with photographs after ground verification by an officer not below the rank of Conservator of Forests.
- (ii) Revised quantum of employment likely to be generated.



(Dr. Parimal Chandra Bhattacharjee)
Non-Official Member

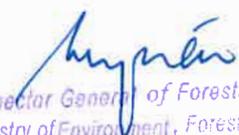
(Shri Yambos Murray)
Non-Official Member

(Shri Amit Shukla)
CCF & Nodal Officer (FCA)
Govt of Tripura

(Shri W.I. Yatbon)
DIG(FC), Member Secretary

(Ms. Imtlienla Ao)
DDG, Chairman




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong



भारत सरकार
GOVERNMENT OF INDIA

एकीकृत क्षेत्रीय कार्यालय

INTEGRATED REGIONAL OFFICE

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

लॉउ सीब लुम्बतंगेन/LAW-U-SIB, LUMBATNGEN,

शिल्लोंग/SHILLONG-793021

TEL. 0364-2537278; FAX. 0364-2536041

E-mail: moefro.shillong@gov.in



No. 3-TR C 091/2020-SHI/ 3296-97

25th January, 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 10 ha of forest land for resettlement of Bru Migrant in **Bikramjoy Para** of Mouja –Ujanmachmara RF in favour of SDM Kanchanpur under North District.

Sir,

This has got reference to the State Government of Tripura letter No.F.6-1278/ FC/For-2020/874-80 dated 28.10.2020 and even No.1304-07 Dated 24.12.2020 and D.O. N.F.11(2) RR&DM/Reang/2020(P-1) dated 03.12.2020 from Chief Secretary, Govt of Tripura 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 dated 24.12.2020, the proposal was discussed in the Regional Empowered Committee (REC) in its 36th meeting held on 11.01.2021 and the REC recommended the same as a very special case.

3. The Ministry vide letter No.FC-11/204/2020-FC dated 21.12.2020 communicated the decision of the high-level meeting held under the chairmanship of the Union Home Secretary wherein it was informed by the State Government that the Bru (Reang) migrants are forest dwellers from Mizoram and the same has been corroborated by Government of Mizoram and that they will be given permission to construct dwelling units without conferring any ownership of land. Therefore, de-notification of forest land may not be required. A decision was then taken that the *“the diversion of forest land for resettlement/rehabilitation of the Bru (Reang) migrants must be processed by MoEF &CC, GoI (as a special case in relaxation of the existing guidelines, if required urgently as the agreement has to be implemented in a time bound manner”*.

4. Subsequently, on the approval of Competent Authority of the MoEF&CC, GoI, New Delhi for IRO, Shillong to process the proposal (s) as per FC Rules, the *In-principle / Stage-I* approval of the Central Government is hereby granted for diversion of **10 ha** of forest land for resettlement of Bru Migrant in **Bikramjoy Para** of Mouja –Ujanmachmara RF in favour of SDM Kanchanpur under North District, subject to the following conditions:



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

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 land identified for the purpose of CA shall be clearly depicted on Survey of India topo sheet of 1: 50000 scale;
3. 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;
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 complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;
7. 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 the pillar to pillar and GPS co-ordinates;
8. 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;
9. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
10. The state Govt shall submit the copy of the notification of mutation of the equivalent non-forest land identified for the compensatory afforestation while submitting compliance report to the In-principle approval (IPA);
11. The User Agency shall deposit an amount of Rs.18.12 Lakhs towards chain link fencing 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:

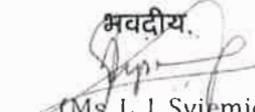
1. Legal status of the diverted forest land shall remain unchanged;




 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

2. Compensatory Afforestation shall be raised over double the degraded forest area of 20 ha double the degraded forest land in Pani Sagar Range in Dharmanagar in North Tripura;
 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 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;
 11. 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;
 12. 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;
 13. 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;
5. 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.

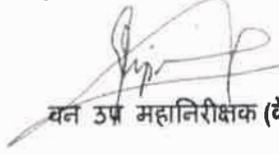


भवदीय

 (Ms. L. I. Sviemiong)
 उप वन महानिरीक्षक (केंद्रीय)/
 Deputy Inspector General of Forests (C)


 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

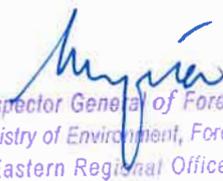
Copy to:

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)

o/c




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong



भारत सरकार
GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय



INTEGRATED REGIONAL OFFICE
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
लॉड सीब लुम्बतंगेन/LAW-U-SIB, LUMBATNGEN,
शिलंग/SHILLONG-793021
TEL. 0364-2537278; FAX. 0364-2536041
E-mail: moefro.shillong@gov.in

No. 3-TR C 090/2020-SHI/ 3295-99

25th January, 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 10 ha of forest land for resettlement of Bru Migrant in **Nandiram para** under Ujanmachmara Mouja of Kanchanpur Sub-Division, North Tripura District.

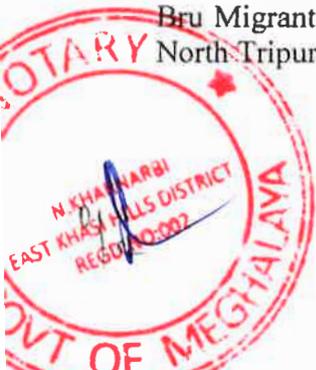
Sir,

This has got reference to the State Government of Tripura letter No.F.6-1278/ FC/For-2020/874-80 dated 28.10.2020 and even No.1304-07 Dated 24.12.2020 and D.O. N.F.11(2) RR&DM/Reang/2020(P-1) dated 03.12.2020 from Chief Secretary, Govt of Tripura 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 dated 24.12.2020, the proposal was discussed in the Regional Empowered Committee (REC) in its 36th meeting held on 11.01.2021 and the REC recommended the same as a very special case.

3. The Ministry vide letter No.FC-11/204/2020-FC dated 21.12.2020 communicated the decision of the high-level meeting held under the chairmanship of the Union Home Secretary wherein it was informed by the State Government that the Bru (Reang) migrants are forest dwellers from Mizoram and the same has been corroborated by Government of Mizoram and that they will be given permission to construct dwelling units without conferring any ownership of land. Therefore, de-notification of forest land may not be required. A decision was then taken that the *"the diversion of forest land for resettlement/rehabilitation of the Bru (Reang) migrants must be processed by MoEF &CC, GoI (as a special case in relaxation of the existing guidelines, if required urgently as the agreement has to be implemented in a time bound manner"*.

4. Subsequently, on the approval of Competent Authority of the MoEF&CC, GoI, New Delhi for IRO, Shillong to process the proposal (s) as per FC Rules, the *In-principle / Stage-I* approval of the Central Government is hereby granted for diversion of 10 ha forest land for resettlement of Bru Migrant in **Nandiram para** under Ujanmachmara Mouja of Kanchanpur Sub-Division, North Tripura District.,subject to the following conditions:



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

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 land identified for the purpose of CA shall be clearly depicted on Survey of India topo sheet of 1: 50000 scale;
3. 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;
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 complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;
7. 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 the pillar to pillar and GPS co-ordinates;
8. 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.
9. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
10. The state Govt shall submit the copy of the notification of mutation of the equivalent non-forest land identified for the compensatory afforestation while submitting compliance report to the In-principle approval (IPA).
11. The User Agency shall deposit an amount of Rs.21 Lakhs for 1 vehicle towards patrolling and Protection of Forest with the State Forest Department.
12. The User Agency shall deposit an amount of Rs.21 Lakhs towards chain link fencing 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:

- ★ Legal status of the diverted forest land shall remain unchanged.



[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

2. Compensatory Afforestation shall be raised over double the degraded forest area of 20 ha in CS Plot No 50, Khatian No 2/2 in Paschim Tilthai Mouja, Pani sagar Range, Dharmanagar Forest Division, North District.

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 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;
11. 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;
12. 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;
13. 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.

5. 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,

(Ms. L. I. Svemiong)

उप वन महानिरीक्षक (केंद्रीय)/

Deputy Inspector General of Forests (C)

Copy to:

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 (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong





भारत सरकार
GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय



INTEGRATED REGIONAL OFFICE
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
लॉउ सीय लुम्बतंगेन/LAW-U-SIB, LUMBATNGEN,
शिल्लोन्ग/SHILLONG-793021

TEL. 0364-2537278; FAX. 0364-2536041
E-mail: moefrc.shillong@gov.in

No. 3-TR C 087/2020-SHI/ 3311 -12

25th January, 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 25.00 hectare of forest land for settlement of BRU migrant of Mouja-CCRF in favour of SDM Kanchanpur under North District.

Sir,

This has got reference to the State Government of Tripura letter No.F.6-1278/ FC/For-2020/874-80 dated 28.10.2020 and even No.1304-07 Dated 24.12.2020 and D.O. N.F.11(2) RR&DM/Reang/2020(P-I) dated 03.12.2020 from Chief Secretary, Govt of Tripura 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 dated 24.12.2020, the proposal was discussed in the Regional Empowered Committee (REC) in its 36th meeting held on 11.01.2021 and the REC recommended the same as a very special case.

3. The Ministry vide letter No.FC-11/204/2020-FC dated 21.12.2020 communicated the decision of the high-level meeting held under the chairmanship of the Union Home Secretary wherein it was informed by the State Government that the Bru (Reang) migrants are forest dwellers from Mizoram and the same has been corroborated by Government of Mizoram and that they will be given permission to construct dwelling units without conferring any ownership of land. Therefore, de-notification of forest land may not be required. A decision was then taken that the *"the diversion of forest land for resettlement/rehabilitation of the Bru (Reang) migrants must be processed by MoEF &CC, GoI (as a special case in relaxation of the existing guidelines, if required urgently as the agreement has to be implemented in a time bound manner"*.

4. Subsequently, on the approval of Competent Authority of the MoEF&CC, GoI, New Delhi for IRO, Shillong to process the proposal (s) as per FC Rules, the *In-principle / Stage-I* approval of the Central Government is hereby granted for diversion of **25.00 hectare** of forest land for settlement of BRU migrant of Mouja-CCRF in favour of SDM Kanchanpur under North District, subject to the following conditions:



Mujeeb
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

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 land identified for the purpose of CA shall be clearly depicted on Survey of India topo sheet of 1: 50000 scale;
3. 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;
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 complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;
7. 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 the pillar to pillar and GPS co-ordinates;
8. 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;
9. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
10. The User Agency shall deposit an amount of Rs.20 Lakhs for ex situ conservation with the State Forest Department;
11. The User Agency shall deposit an amount of Rs.21.00 Lakhs towards chain link fencing with the State Forest Department;

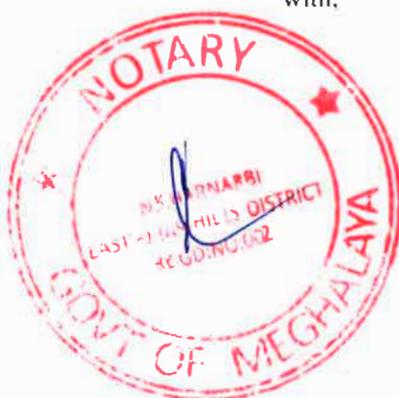


[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

12. State Government may submit Inspection report by CF and above ranked officer for verification of density of proposed CA site prior to or along with compliance for In-principle approval.

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 the degraded forest area of 50 ha in degraded forest land in Damcherra RF, Khatian 2/22, CS Plot No.513 of Dharamnagar Forest Division. A total of 50,000 seedlings shall be planted in the 50 ha area through AR.
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 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;
11. 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;
12. 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;



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

13. 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;

5. 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.

भयदीय,

(Ms. L. I/Sviemlong)

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.

1/c

वन उप महानिरीक्षक (केंद्रीय)



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong



भारत सरकार
GOVERNMENT OF INDIA

एकीकृत क्षेत्रीय कार्यालय
INTEGRATED REGIONAL OFFICE

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

लॉड सीब लुम्बतंगेन/LAW-U-SIB, LUMBATNGEN,

शिलोंग/SHILLONG-793021

TEL. 0364-2537278; FAX. 0364-2536041

E-mail: moeftro.shillong@gov.in



No. 3-TR C 093/2020-SHI/ 3294-95

25th January, 2021

सेवा मे,

सचिव/Secretary,

त्रिपुरा सरकार/ Government of Tripura

पर्यावरण और वन विभाग /Department of Environment & Forests,

कुंजायन, अगरतला/ Kunjaban, Agartala.

Sub : Proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant of mouja **Gachirampara** in favour of SDM Kanchanpur under North District

Sir,

This has got reference to the State Government of Tripura letter No.F.6-1279/ FC/For-2020/867-73 dated 28.10.2020, even No.1292-95 Dated 23.12.2020 and D.O. N.F.11(2) RR&DM/Reang/2020(P-I) dated 03.12.2020 from Chief Secretary, Govt of Tripura on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

- After careful examination of the proposal of the State Government of Tripura and the additional information submitted vide their letter dated 24.12.2020. The Proposal was discussed in the Regional Empowered Committee (REC) in its 36th meeting held on 11.01.2021 the REC recommended the same as a very special case.
- The Ministry vide letter No.FC-11/204/2020-FC dated 21.12.2020 communicated the decision of the high-level meeting held under the chairmanship of the Union Home Secretary wherein it was informed by the State Government that the Bru (Reang) migrants are forest dwellers from Mizoram and the same has been corroborated by Government of Mizoram and that they will be given permission to construct dwelling units without conferring any ownership of land. Therefore, de-notification of forest land may not be required. A decision was then taken that the *"the diversion of forest land for resettlement/rehabilitation of the Bru (Reang) migrants must be processed by MoEF & CC, GoI (as a special case in relaxation of the existing guidelines, if required urgently as the agreement has to be implemented in a time bound manner"*.
- Subsequently, on the approval of Competent Authority of the MoEF&CC, GoI, New Delhi for IRO, Shillong to process the proposal (s) as per FC Rules, the *In-principle / Stage-I* approval of the Central Government is hereby granted for **25.00 hectare** of forest land for resettlement of BRU migrant of mouja **Gachirampara** in favour of SDM Kanchanpur under North District, subject to the following conditions:



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

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 land identified for the purpose of CA shall be clearly depicted on Survey of India topo sheet of 1: 50000 scale;
3. 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;
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 complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;
7. 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 the pillar to pillar and GPS co-ordinates;
8. 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;
9. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
10. The User Agency shall deposit an amount of Rs.40 Lakhs towards Ex Situ Conservation for Biodiversity loss in lieu of the forest land diverted with the State Forest Department;
11. The User Agency shall deposit an amount of Rs.34 Lakhs towards chain link fencing 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 the degraded forest area of **50 ha** degraded forest land in two patches i.e. **25 ha** each in Dancherra range and Panisagar Range in Kanchanpur Forest Sub Division in North Tripura;

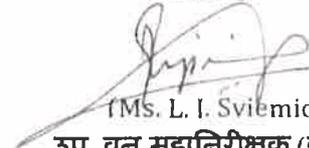


[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

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 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;
11. 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;
12. 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;
13. 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.

5. 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.



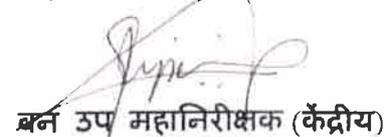
(M.S. L. I. Sviemiong)

उप वन महानिरीक्षक (केंद्रीय)/

Deputy Inspector General of Forests (C)

Copy to:

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

उप वन महानिरीक्षक (केंद्रीय)

/Deputy Inspector General of Forests (C)

Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong



भारत सरकार
GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय



INTEGRATED REGIONAL OFFICE
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

लॉड सीब लुम्बतंगेन/LAW-U-SIB, LUMBATNGEN,

शिलोंग/SHILLONG-793021

TEL. 0364-2537278; FAX. 0364-2536041

E-mail: moefrcv.shillong@gov.in

No. 3-TR C 094/2020-SHI/ 3313-14

25th January, 2021

सेवा में,

सचिव/Secretary,

त्रिपुरा सरकार/ Government of Tripura

पर्यावरण और वन विभाग /Department of Environment & Forests,

कुंजावन, अगरतला/ Kunjaban, Agartala.

Sub : Proposal for diversion of 25.00 hectare of forest land for resettlement of BRU migrant at location **Bhandarima of mouja** CCRF in favour of SDM Kanchanpur under North District.

Sir,

This has got reference to the State Government of Tripura letter No.F.6-1277/ FC/For-2020/904-910 dated 28.10.2020 and even No.1346-49 Dated 24.12.2020 and D.O. N.F.11(2) RR&DM/Reang/2020(P-I) dated 03.12.2020 from Chief Secretary, Govt of Tripura 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 dated 24.12.2020, the proposal was discussed in the Regional Empowered Committee (REC) in its 36th meeting held on 11.01.2021 and the REC recommended the same as a very special case.

3. The Ministry vide letter No.FC-11/204/2020-FC dated 21.12.2020 communicated the decision of the high-level meeting held under the chairmanship of the Union Home Secretary wherein it was informed by the State Government that the Bru (Reang) migrants are forest dwellers from Mizoram and the same has been corroborated by Government of Mizoram and that they will be given permission to construct dwelling units without conferring any ownership of land. Therefore, de-notification of forest land may not be required. A decision was then taken that the *“the diversion of forest land for resettlement /rehabilitation of the Bru (Reang) migrants must be processed by MoEF &CC, GoI (as a special case in relaxation of the existing guidelines, if required urgently as the agreement has to be implemented in a time bound manner”*.

4. Subsequently, on the approval of Competent Authority of the MoEF&CC, GoI, New Delhi for IRO, Shillong to process the proposal (s) as per FC Rules, the *In-principle / Stage-I* approval of the Central Government is hereby granted for diversion of **25.00 hectare** of forest land for resettlement of BRU migrant at location **Bhandarima of mouja** CCRF in favour of SDM Kanchanpur under North District, subject to the following conditions:



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

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 land identified for the purpose of CA shall be clearly depicted on Survey of India topo sheet of 1: 50000 scale;
3. 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;
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 complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;
7. 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 the pillar to pillar and GPS co-ordinates;
8. 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;
9. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
10. The User Agency shall deposit an amount of Rs.40 Lakhs towards Conservation of Biodiversity like various butterflies and other natural heritage for creation of awareness among the people;
11. The User Agency shall deposit an amount of Rs.36.24 Lakhs towards chain link fencing with the State Forest Department;
12. The User Agency shall deposit an amount of Rs.21 Lakhs towards vehicle for Patrolling with the State Forest Department;



[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

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 the degraded forest area of **53.4 ha** in degraded forest land in two patches i.e. **45 ha** in Khatian No. 2/15, 2/17, 2/18 in Chandipur mouja and Ujjan Machmara mouja, Kanchanpur Range, Kanchanpur Forest Sub Division in North District where 45000 nos of saplings shall be planted @ 1000 saplings per ha through AR and in **8.4 ha** in Khatian No. 2/46, 2/5 Indurail mouja, Panisagar Range, Kanchanpur Forest Sub Division in North District where a total of 5000 nos saplings shall be planted @ 596 nos saplings through ANR;
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 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;
11. 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;
12. 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;
13. 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.



[Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

5. 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

(Ms. L. I. Sviemiong)

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)

0/c



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong



भारत सरकार
GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय



INTEGRATED REGIONAL OFFICE
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
लॉड सीब लुम्बतंगेन/LAW-U-SIB, LUMBATNGEN,
शिल्लोंग/SHILLONG-793021
TEL. 0364-2537278; FAX. 0364-2536041
E-mail: moefro.shillong@gov.in

No. 3-TR C 089/2020-SHI/3315-16

25th January, 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 25.00 hectare of forest land for resettlement of BRU migrants of mouja-**Manu-Chailengta** RF in favour of SDM Kanchanpur under North District.

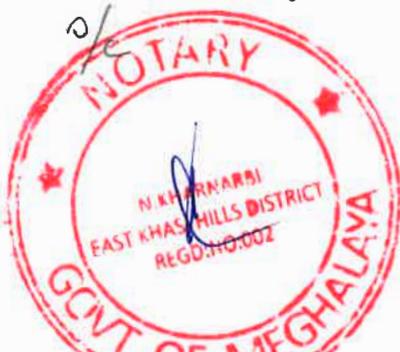
Sir,

This has got reference to the State Government of Tripura letter No.F.6-1274/ FC/For-2020/119-17 dated 28.10.2020 and even No.1288-91 Dated 23.12.2020 and D.O. N.F.11(2) RR&DM/Reang/2020(P-1) dated 03.12.2020 from Chief Secretary, Govt of Tripura 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 dated 24.12.2020, the proposal was discussed in the Regional Empowered Committee (REC) in its 36th meeting held on 11.01.2021 and the REC recommended the same as a very special case.

3. The Ministry vide letter No.FC-11/204/2020-FC dated 21.12.2020 communicated the decision of the high-level meeting held under the chairmanship of the Union Home Secretary wherein it was informed by the State Government that the Bru (Reang) migrants are forest dwellers from Mizoram and the same has been corroborated by Government of Mizoram and that they will be given permission to construct dwelling units without conferring any ownership of land. Therefore, de-notification of forest land may not be required. A decision was then taken that the *"the diversion of forest land for resettlement/rehabilitation of the Bru (Reang) migrants must be processed by MoEF &CC, GoI (as a special case in relaxation of the existing guidelines, if required urgently as the agreement has to be implemented in a time bound manner"*.

4. Subsequently, on the approval of Competent Authority of the MoEF&CC, GoI, New Delhi for IRO, Shillong to process the proposal (s) as per FC Rules, the *In-principle / Stage-I* approval of the Central Government is hereby granted for diversion of **25.00 hectare** of forest land for resettlement of BRU migrants of mouja-**Manu-Chailengta** RF in favour of SDM Kanchanpur under North District, subject to the following conditions:



Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

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 land identified for the purpose of CA shall be clearly depicted on Survey of India topo sheet of 1: 50000 scale;
3. 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;
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 complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;
7. 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 the pillar to pillar and GPS co-ordinates;
8. 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;
9. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
10. The User Agency shall deposit an amount of Rs.70 Lakhs for conservation of various birds and for creation of awareness among the people with the State Forest Department subject to CZR approval;
11. The User Agency shall deposit an amount of Rs.36.24 Lakhs towards chain link fencing 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:

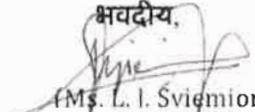
1. Legal status of the diverted forest land shall remain unchanged;



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Region

2. Compensatory Afforestation shall be raised over double the degraded forest area of **50 ha** in degraded forest land in CS Plot No 513, Khatain No 2-22, Mouja Damcherra RF, Dharamnagar Forest Sub Division.
 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 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;
 11. 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;
 12. 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;
 13. 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;
5. 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,

 (M.S. L. I. Sviemiong)
 उप वन महानिरीक्षक (केंद्रीय)/
 Deputy Inspector General of Forests (C)


 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

Copy to:

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

o/c


वन उप महानिरीक्षक (केंद्रीय)




Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

[Annexure - D]

(177)

No.F.3-14/WP-L/W.P.Gen/For-2019/ 506
 Government of Tripura
 Office of the Deputy Conservator of Forests
 Working Plan Division No.1
 Gandhigram-799012 : West Tripura

Dated: 05/07/2021

Phone - (0381) 239-7614

e-mail: dcfworkingplan1@gmail.com

Handwritten notes:
 20/07/2021
 10/07/2021

To
 The Chief Conservator of Forests,
 (Vigilance & Legal)
 O/o. the PCCF, Tripura
 Aranya Bhavan, Gurkhabasti, Agartala.

Sub:- O.A. No.112/2020 (EZ) in the matter of Dhanishwar Debnath – Versus – Union of India and Ors. – regarding

Reference:- No.RONE/E/NGT/O.A. No.112/20/EZ/TR/276-80 dated 21.06.2021

Sir,

With reference to the subject cited above, I would like to furnish the information against Point No. (iv) whether Working Plans has made any mention and/or specific conservation measures of the floral/faunal species mentioned in the instant OA, in detailed below –

Erstwhile Forest Division	Forest Management Block	Compartment No.	Total area of compartment (hae.)	Working Circle as per Working Plan Prescription	Prescription
1	2	3	4	5	6
Kanchanpur Forest Division	Gachirampara	3	396.50	Teak Coppice with Std. W.C.	Coppice with standard system
	Ujanmachmara R.F.	2	818.85	Plantation Working Circle	Selection cum improvement felling system.
				Soil & Water Conservation W.C.	Conservation of species of aquatic flora & fauna which are endangered.
	Ujanmachmara R.F.	10	1023.55	NTEP W.C.	Selection system
				Teak Coppice with Std. W.C.	Coppice with standard system
				ST & OFD (Overlapping) W.C.	Conserve the environment through individual afforestation
	Central Catchment R.F.	8	729.21	Teak Coppice with Std. W.C.	Coppice with standard system
				NTEP Working Circle	Selection system.
				River Bank (Overlapping) W.C	Selection system
	Central Catchment R.F.	21	1239.18	Protection & Imp.W.C.	Selection cum improvement, felling system.
Bamboo (Overlapping) W.C.)				Selection system	
Manu-Chailengta R.F.	2	522.92	Teak Coppice with Std. W.C.	Coppice with standard system	
			Fire Wood W.C.	New plantation need to raised in the major gaps with identified spp.	

This is for your kind information and doing the needful please.



Handwritten signature:
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

Handwritten signature:
 (SANJIB DAS, IFS)
 Deputy Conservator of Forests,
 Working plan Division No.1,
 Gandhigram

ANNEXURE R1 (H)

F.No. 22-43/2018-IA.III
 Government of India
 Ministry of Environment, Forest and Climate Change
 (IA Division)

Indira Paryavaran Bhawan
 Jor Bagh Road, Aliganj,
 New Delhi – 110003

Dated: 8th August, 2019

OFFICE MEMORANDUM

Subject: Procedure for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary seeking environmental clearance under the provisions of the Environmental Impact Assessment (EIA) Notification, 2006 - regarding.

The Hon'ble Supreme Court vide its Order dated 4.12.2006 in Writ Petition No. 460 of 2004 – Goa Foundation Vs. Union of India, has inter-alia directed that Ministry of Environment and Forests "(MoEF) would also refer to the Standing Committee of the National Board for Wildlife, under section 5(b) & 5(c) (ii) of the Wildlife Protection Act, 1972, the cases where environmental clearances has already been granted where activities are within 10km. zone" of the boundaries of the Sanctuaries and National Parks."

2. In this regard, the erstwhile MoEF vide Circular No. L-11011/7/2004-IAII (I)(Part) dated 27.02.2007 and Office Memorandum No. J-11013/41/2006-IA.II(I) dated 02.12.2009 delineated a procedure for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary for grant of environmental clearance under EIA Notification, 2006. As per the stipulated procedure, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) would be required for the developmental projects located within 10km of the National Park/Wildlife Sanctuary.

3. Over a period of time, Ministry has notified number of Eco-Sensitive Zones (ESZs) around Protected Areas (PAs). Many of developmental activities are prohibited/regulated in these ESZs *inter-alia* including mining operations to be carried out in accordance with the order of the Hon'ble Supreme Court dated 4.08.2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in

Page 1 of 3



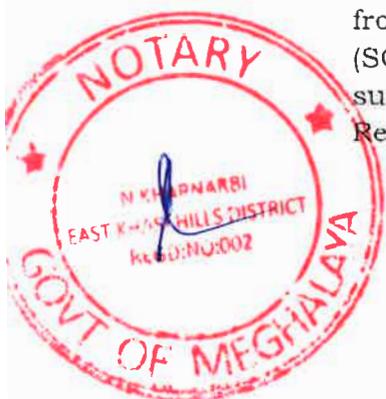

 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

W.P.(C) No. 202 of 1995 and dated 21.4.2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No. 435 of 2012 as per the notifications issued for their constitution.

4. In light of the aforesaid Orders passed by the Hon'ble Supreme Court, the issues related to the prior clearance from SCNBWL for the notified ESZs and the remaining areas have been examined in detail. In this regard, it has been decided by the Competent Authority in the Ministry to adopt a following procedure for consideration of developmental projects located within 10 km of National Park/Wildlife Sanctuary seeking environmental clearance under the provisions of the EIA Notification, 2006, in supersession of the earlier O.M.s dated 27.2.2007 and 2.12.2009:

- i. Proposals involving developmental activity/project located within the notified Eco-Sensitive Zones (ESZ) shall be regulated and governed by the concerned ESZ notification. However, for the developmental project/activity located within the notified ESZ and covered under the schedule of the EIA Notification 2006, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) is mandatory. In such cases, the project proponent shall submit the application simultaneously for grant of Terms of Reference as well as wildlife clearance.
- ii. Proposals involving developmental activity/project located outside the stipulated boundary limit of notified ESZ and located within 10 km of National Park/Wildlife Sanctuary, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) may not be applicable. However, such proposals from environmental angle including impact of developmental activity/project on the wildlife habitat, if any, would be examined by the sector specific Expert Appraisal Committee and appropriate conservation measures in the form of recommendations shall be made. These recommendations shall be explicitly mentioned in the environmental clearance letter and shall be ensured by the member secretary concerned.
- iii. Proposals involving developmental activity/project located within 10 km of National Park/Wildlife Sanctuary wherein final ESZ notification is not notified (or) ESZ notification is in draft stage, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) is mandatory. In such cases, the project proponent shall submit the application simultaneously for grant of Terms of Reference/environmental clearance as well as wildlife clearance.

Page 2 of 3



[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

- iv. Proposals involving mining of minerals within the ESZ (or) one kilometer from the boundaries of National Parks and Sanctuaries whichever is higher is prohibited in accordance with the order of the Hon'ble Supreme Court dated 4.08.2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No. 202 of 1995 and dated 21.4.2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No. 435 of 2012.
5. This issues with the approval of the Competent Authority.

Sharath Kumar Pallerla
8/8/19

(Sharath Kumar Pallerla)
Director

To

1. Chairman, Central Pollution Control Board (CPCB).
2. Chairman of all the Expert Appraisal Committees
3. Chairperson/Member Secretaries of all the SEIAAs/SEACs
4. All the Officers of I.A. Division
5. Chairpersons/Member Secretaries of all SPCBs/UTPCCs

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary(EF&CC)
4. PPS to SS(AKJ)
5. PPS to AS (RSP)
6. PPS to JS (GM)/ JS(RS)/JS(AKN)
7. Website, MoEF&CC
8. Guard file.



Sharath Kumar Pallerla
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong