



भारत सरकार
GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय
INTEGRATED REGIONAL OFFICE
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
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F. No. 3-MN C 040/2021-SHI 1663 - 64

28th October, 2021

सेवा मे,

अतिरिक्त प्रमुख सचिव / Addl. Chief Secretary,
वन और पर्यावरण विभाग/ Forest and Environment Department
मणिपुर की सरकार / Government of Manipur,
इंफाल - Imphal - 795 001.

Sub : Proposal for diversion of 99.488 Ha of Forest Land for construction of two lane with paved shoulder of Dialong- Old Tamenglong Section from Km 10.000 to Km 31.430 of Tamenglong- Mahur Road in the state of Manipur on EPC mode by NHIDCL - reg.

Sir,

This has got reference to the State Government of Manipur letter No.F.27/55/2021-For & Env. dated 23.06.2021 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

2. After careful examination of the proposal of the State Government of Manipur and the additional information submitted vide their letter No.F.27/55/2021-For&Env dated 16.10.2021 and after recommendation of the proposal in the Regional Empowered Committee (REC) in its meeting held on 20.08.2021, the **In-principle / Stage-I approval** of the Central Government is hereby granted for diversion of **99.488 Ha** of Forest Land for construction of two lane with paved shoulder of Dialong- Old Tamenglong Section from Km 10.000 to Km 31.430 of Tamenglong Mahur in the state of Manipur on EPC mode by NHIDCL, subject to the following conditions:

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

1. The user agency shall transfer, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28/03/2008, 24/04/2008 and 09/05/2008 in Writ petition (Civil) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned;

2. The user agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include appropriate for anticipated cost increase for works scheduled for subsequent years;

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3. The user agency shall transfer the cost of raising Avenue plantation on the road side with the State Forest Department to CAMPA account only through e-portal;
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. 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;
8. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
9. Undertaking from the user agency for providing proper drainage of retaining / breast wall in steep slopes and stabilization of side slope to avoid soil erosion and landslides; and to provide drains / cross drains. Physical barriers / structures to prevent muck from entering streams & rivers and other ecologically sensitive areas are to be constructed on the lower slope side, if required, before any construction works are started;
10. The KML files of the area to be diverted, the CA areas, the proposed SMC works, the WLMP area shall be uploaded on the e-Green watch portal with all requisite details before issuing work permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be;
11. Undertaking from user agency and State Forest Department regarding proposed avenue plantation with RET species, fruit bearing plants and other native species of ecological and economic importance and that the State Forest Department shall solicit the active participation of JFMC for nursery raising and production of Quality Planting materials for the plantations.
12. Undertaking from user agency and State Forest Department to jointly identify activities in consultation with concerned villagers for construction of wayside amenities like waiting sheds, marketing sheds etc. along the highway for the benefit of villagers and incorporate into the proposal, if found necessary.

B: Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

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

2. Compensatory Afforestation shall be raised over double degraded forest area i.e. 200 ha identified by the State Forest Department in 4 (four) patches i.e. 50 ha in Gadai Hills, Bhalok Block/Compartment, 50 ha in Tharon Plot-I, Tharon Block/Compartment, 50 ha in Tharon Plot-II, Tharon Block/Compartment and 50 ha in Chiuluan of Khongjaron Block/Compartment in Tamenglong Range, Tamenglong Forest 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 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;

5. No damage to the flora and fauna of the adjoining area shall be caused;

6. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;

7. 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;

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

9. 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;

10. 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;

11. 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;

12. As per Ministry's letter No 11-30/96-FC(Pt) dt 14.9.2001, if the compliance of stipulated conditions is awaited from the State Govt for more than 5(five) years, the in-principle approval would be summarily be revoked considering that the user agency is no longer interested in the project;

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

भवदीय,

(Mrs.L.J.Syiemiong)

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

Copy to:

1. प्रधान मुख्य वन संरक्षक/ Principal Chief Conservator of Forests & HoFF, मणिपुर सरकार/
Government of Manipur, वन और पर्यावरण विभाग/ Forest & Environment Department, इम्फाल /
Imphal -795001.

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

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