

REMINDER:

GOVERNMENT OF MIZORAM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
MIZORAM:::AIZAWL

No.B.22013/57/2013-FC/PCCF/39

Dated Aizawl the 31st July, 2014

To,

The Director,
Higher & Technical Education,
Aizawl, Mizoram

*Subj: Establishment of National Institute of Technology (NIT),
Mizoram*

Ref: No.B.22013/57/2013-FC/PCCF/39 dt.10.4.2013

Sir,

With reference to the subject and letter No. cited above, I am to state that your good office was requested to seek prior approval of the Central Government under Forest (Conservation) Act, 1980 for diversion of forest land as the land donated by Lengpui Village Council/Court for establishment of the premier National Institute of Technology, Mizoram is within Tlawng Riverine Reserved Forests and Gomari plantation raised by the Department during 1999 and 2000 under Social Forestry Scheme.

Further, it is requested to inform this office the present position of this project for favour of information and necessary action.

Yours faithfully,

Office of the PCCF, Mizoram

698
Date 31-07-2014
H. Lal

C. Vanlalena
(C.VANLALENA)

Deputy Conservator of Forests (Hqrs)
Mizoram, Aizawl

GOVERNMENT OF MIZORAM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
MIZORAM : AIZAWL

No. B. 22013/57/2013-FC/PCCF/38

Dated Aizawl the 10th April, 2013

To,

The Director,
Higher & Technical Education
Mizoram, Aizawl

Subj : Establishment of National Institute of Technology, (NIT), Mizoram

Sir,

It is to inform you that the land donated by Lengpui Village Council/Court for establishment of the premier National Institute of Technology, Mizoram is within Tlawng Riverine Reserve Forest and Gomari Plantation have been raised by the Department during 1999 & 2000 under Social Forestry Scheme. On inspection of the site, it is found that there are 3070 Nos. of Gomari trees having cubical content of 403.806 cum to be removed from the proposed project site.

Though the Department also warmly welcomes establishment of the NIT in the State, there are mandatory guidelines to be followed in case of non-forest activities on forest lands.

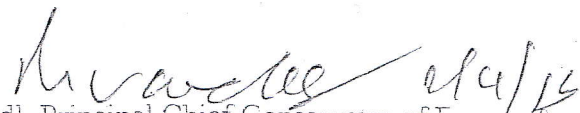
The NIT authorities/Education Department (Higher & Technical Education) is therefore, requested to seek prior approval of the Central Government under section 2 of the Forest (Conservation) Act, 1980 for diversion of forest land in consultation with DFO Mamit or try to find suitable non-forest lands for establishment of the premier institute.


(ROSIAMA VANCHHONG)

Addl. Principal Chief Conservator of Forests &
Nodal Officer (FCA)

Copy to :

1. Conservator of Forest, Northern Circle for information & necessary action
2. DFO, Mamit for information with reference to his letter No.B.21011/5/11-FDM/2229 dt.1.2.2013

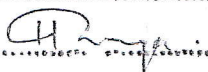


Addl. Principal Chief Conservator of Forests &
Nodal Officer (FCA)

Office of the PCCF, Mizoram

Issued 253

Date 10/4/13

Initials 

O/C

MIZORAM
Receipt No. 893
11/9/17

GOVERNMENT OF MIZORAM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
ENVIRONMENT, FORESTS & CLIMATE CHANGE DEPARTMENT
MIZORAM :: AIZAWL

No.B.23012/6/2009-FC/PCCF/147 Dated Aizawl, the 29th August, 2017

To,

The Deputy Registrar
National Institute of Technology
Engineer Lianchungnunga Building

Subj.: Illegal construction of NIT buildings and violation of Forest Conservation Act, 1980

Ref.: No.B.11011/2/2001-FDM/ dt.9.8.17

Sir,

With reference above, you have been informed twice by DFO Mamit to approach competent authority in respect of encroachment of Reserved Forest and subsequent felling of many trees from the area.

You are once again requested to follow the procedures and formalities for obtaining Forest Clearance as per the prevailing rules. Otherwise, the concerned authorities will be constrained to report this violation to the appropriate authority for penal action on the erring officials.

Yours faithfully,

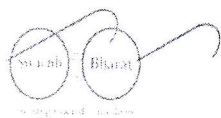

(LIANDAWLA) 29/8/17

Addl. Principal Chief Conservator of Forests,
& Nodal Officer (FC)

Copy to:

1. Conservator of Forests, Northern Circle, Kolasib, Mizoram for kind information
2. Divisional Forest Officer, Mamit Forest Division for information and necessary action.
3. Range Officer, Lengpui Forest Range for kind information.

Addl. Principal Chief Conservator of Forests,
& Nodal Officer (FC)



**GOVERNMENT OF MIZORAM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
DEPARTMENT OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
MIZORAM::AIZAWL**

No.B.22013/57/2013-FC/PCCF/ 102

Dated Aizawl the 2th Nov, 2018

To,

The Joint General Manager
IRCON International Limited
Aizawl, Mizoram.

Sub: Forest Clearance regarding NIT Campus at Lengpui.

Ref: Proposal No. : FP/MZ/SCH/30578/2017

Sir,

With reference to the subject and Proposal mentioned above, I am to remind you to continue the on-line application for Forest Clearance which is mandatory to obtain under section 2 of the Forest (Conservation) Act, 1980 in the state of Mizoram for the diversion of forest land into non-forest purposes.

Further, I am to request you to furnish the query(Essential Details) raised by the Divisional Forest Officer, Mamit on 16/03/2018 without which the proposal cannot be processed any further.

Therefore, your kind compliance in this regard is highly solicited.

Enclosed : As above

Yours faithfully,


(LIANDAWLA)

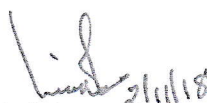
Addl. Principal Chief Conservator of Forests
& Nodal Officer (FCA)

Memo No.B.22013/57/2013-FC/PCCF/ 102

Dated Aizawl the 2nd Nov, 2018

Copy to :

1. Under Secretary to the Govt. of Mizoram, EEF&CC for kind information,
2. DFO, Mamit Forest Division, Mamit for information,
3. Addl. PCCF(C), Govt. of India, Ministry of EF&CC, North Eastern Regional Office, Law-U-Sib, Lumbatngen, Near MTC Workshop, Shillong-793021. Email : mofner-meg@nic.in & mofner@dataone.in


Addl. Principal Chief Conservator of Forests
& Nodal Officer (FCA)

sk.

GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
MAMIT FOREST DIVISION
MAMIT: MIZORAM

No. B. 11011/2/01-FDM /

Dated Mamit, the 4th July 2018

To

The Joint General Manager
IRCON International Limited
Aizawl, Mizoram.

Subj :- Forests Clearance regarding, NIT Campus at Lengpui.

Ref No :-

1) B.11011/2/01-FDM/2240-43	dt.27.10.2016
2) .11011/2/01-FDM/815-818	dt.9.8.2017
3) B.23012/6/09-FC/PCCF/147	dt.29.8.2017
4) NIT-MZ/BWC/6/2016/8580	dt.16.11.2016
5) NIT-MZ/Works/ENV.CLR/2015/589	dt.1.9.2017

Sir,

Referring to the numbers indicated above, this is to inform that you are violating Forest Conservation Act, 1980, while constructing NIT campus at Lengpui, Aizawl District, Mizoram. It is also reiterated that the area is lying inside reserve forest of Tlawng Riverine Reserve Forest which had been declared in 1964 under Mizoram Forest Act, 1955 vide (Assam Gazette, 19th May 1965).

It is also observed that you have felled and disposed off 3070 numbers of value trees without obtaining any approval from competent authority. Keeping in view of the above facts, you are requested to totally stop further encroachment and illegal activities.

Yours faithfully,

(LALNUNSANGA KHAWLHRING)

Divisional Forest Officer
Mamit Forest Division
Mamit: Mizoram

Dated Mamit, the 4th July 2018

Memo No. B. 11011/2/01-FDM / 3726 - 29

Copy to:-

- ✓ Nodal Officer (Forest Conservation)
Additional Principal Chief Conservator of Forests, for kind information.
- CF(NC) Kolasib, for kind information.
- Dy.Registrar (F&A) NIT, Mizoram Aizawl.

P/B OF PCCF

Receipt No. 3492

Date 10/7/2018

Divisional Forest Officer
Mamit Forest Division
Mamit: Mizoram

riverine forest reserve and had presumed that the leased land was free holding land and free from encumbrances.

- (ii) During 2017, the DFO, Mamit Division and the Addl. PCCF, Environment Forest & Climate Change Department, Mizoram informed the NIT Mizoram of the 'illegal encroachment' and the felling of 3070 trees within the permanent campus area, copy at Annexure-II.

NIT Mizoram received a 'Stay Order Notice' from the DFO Mamit Division and to stop all forms of encroachment on the forest land, copy at Annexure-III.

- (iii) During 2018, the Project Management Consultants, i.e. M/s IRCON International Limited informed the NIT Mizoram that Rs. 188.07 Lakhs approximately, being the cost of afforestation of 150.46 Ha is being levied as Penal Compensatory Afforestation; for violation of Forest Clearance and due to the continued encroachment and illicit construction, copy at Annexure-IV.

Till date, the Penal Compensatory Afforestation costs have not been paid nor Forest Clearance obtained.

- (iv) The referred Land Lease Certificate of 2015 has been leased to the Secretary to the Govt. of Mizoram, Higher & Technical Education Department, Aizawl, copy at Annexure-V.

Given the afore stated, I would like to request you to kindly revisit the issues regarding the land acquisition/ lease of NIT Mizoram as:

- (i) The scenario and reason by which the NIT Mizoram was provided land within the statutory confines of a notified riverine forest reserve, a land mass which was not a free holding one and not free of encumbrances.
- (ii) The transfer of land/ Land Lease Certificate may be issued to the Director, NIT Mizoram and that the current Land Lease Certificate issued in the name of Secretary to the Govt. of Mizoram, Higher & Technical Education Department, Aizawl may be changed.

The standard 'Terms & Conditions of Lease' of the Land Revenue and Settlement Department, Govt. of Mizoram may also be entered and signed afresh between the concerned Department and NIT Mizoram.

- (iii) The issuance of the Stay Order Notice and payment of Penal Cost Afforestation may be reviewed and the matter be adjudicated by the State Government with the concerned Department and preferably taken up at the Central level, if called for; as the ground issues are pertinent to the State Government.

An early response is highly solicited.

Thanking you.



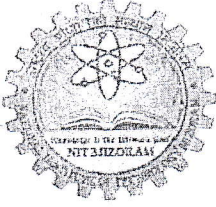
(Dr. LALTHANCHAMI SAILO)

Registrar
NIT Mizoram

Copy for information to:

1. The Secretary, Govt. of India, Ministry of Human Resource Development, Department of Higher Education
2. The Deputy Director General, Govt. of India, Ministry of Human Resource Development, Department of Higher Education
3. The Chairman, Board of Governors, National Institute of Technology, Mizoram
4. The Director, National Institute of Technology, Mizoram
5. The Secretary to the Govt. of Mizoram, Higher & Technical Education Department
6. ☒ The PCCF, Forest, Environment and Climate Change Department, Govt. of Mizoram
7. The Director, Land Revenue and Settlement Department, Govt. of Mizoram
8. Concerned File

Registrar
NIT Mizoram



राष्ट्रीय प्रौद्योगिकी संस्थान मिजोरम
NATIONAL INSTITUTE OF TECHNOLOGY MIZORAM
(An Institution of National Importance under the Ministry of HRD, Govt. of India)
CHALTLANG, AIZAWL, MIZORAM - 796012

Phone/Fax: 0389-2391236 / 0389-2391774 / 0389-2391699

Email: nit_mizoram@nitmz.ac.in

F. No: NITMZ/Works/ENV. CLR./2015/354

Date: 06 JUN 2019

To,

The Chief Secretary,
Government of Mizoram,
Aizawl : Mizoram

Subj: Land acquisition of National Institute of Technology Mizoram and matters thereof.

Ref: (i) Special Secretary, Dept of Higher Education, Ministry of Human Resource Development, D.O. No. F.21-4/2010-TS.III dated 18th April, 2012.

(ii) Certificate of Land Lease No. DLL 01/1023/05/07/08 of 2015 issued by Land Revenue and Settlement Department, Govt. of Mizoram

Sir,

In enclosing the above referred, I would like to inform you that the NIT Mizoram, an Institution of National Importance under the Ministry of Human Resource Development is currently functioning from its temporary campus in Aizawl and that the permanent campus is being planned/constructed at Kawntengek Ram, Lengpui, within the 190.35 acres of land leased out by the Government of Mizoram.

During the course of initiating the primary infrastructural development of the permanent campus, the NIT Mizoram has been faced with certain major factors as :

- (i) The NIT Mizoram was informed by the Divisional Forest Officer(DFO), Mamit Division that the permanent campus land area falls within the 'notified riverine reserved forest' and of the requirement to obtain Forest Clearance, copy at Annexure-I.

The matter regarding Forest Clearance was entrusted to the Project Management Consultants, i.e. M/s IRCON International Limited.

The NIT Mizoram was not aware of the fact that the land leased by the Government of Mizoram was within the statutory confines of a notified

P/B OF PCCF

Receipt No. 2299

Date: 11/6/19

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GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
MAMIT FOREST DIVISION
MAMIT: MIZORAM

No. B. 11011/2/01-FDM / 2240-43

Dated Mamit, the 27th October 2016

To

The Deputy Registrar,
NIIT Er. Lianchungnunga Building,
Chaltlang Dawrkawn.

Subj :- Construction of NIIT building and Forest Clearance-regarding.

Sir,

This is to inform that the site for construction of National Institute of Technology (NIIT) buildings and the campus is lying inside *Tlawng Reverine Reserved Forest* which has been notified as a 'Reserved Forest' vide No-DC.XIV-(A)-3/65 dated 8th April 1965. It is not known to the office undersigned whether National Institute of Technology (NIIT) has obtained approval for construction of the building. It is suggested that appropriate authority may be approached for this purpose. In the meantime, the undersigned is to convey that formal approval is required in order to carryout the construction of buildings etc. inside Reserved Forest. This is insisted by Forest Conservation Act 1980 u/s 2. It is suggested that application may be submitted to the Environment, Forest & Climate Change Department through the concerned Field Office. Format for seeking Forest Clearance is enclosed herewith for perusal which is to be supplemented by online submission to the concerned Ministry of MoEF & CC.

Encl: Format

Yours faithfully,

[Signature]
27-10-2016
(LALNUNSANGA KHAWLHRING)

Divisional Forest Officer
Mamit Forest Division
Mamit: Mizoram

No. B. 11011/2/01-FDM /

Dated Mamit, the 27th October 2016

Copy to:-

1. The Principal Chief Conservator of Forests, Mizoram for kind information.
2. The Conservator of Forest, Northern Circle, Mizoram for kind information.
3. Range Officer Lengpui for kind information.

[Signature]
27-10-2016
Divisional Forest Officer
Mamit Forest Division
Mamit: Mizoram

(83)

GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
MAMIT FOREST DIVISION
MAMIT : MIZORAM

STAY ORDER NOTICE

This is to state that half a mile (804 meters approximately) on either side of *Tlawng (Duleswari) river* had been constituted as *Riverine Reserved Forest (RRF)* in exercise of power delegated under *Section 14 of Mizoram (Forest) Act, 1955* by the then Mizo District Council issued vide *Assam Gazette 19th May, 1965*.

This is also to state (that location of on-going works of *NIT campus, Lengpui* is situated inside *Tlawng Riverine Reserved Forest*. And till today, the location and area in which NIT campus is being established is still inside riverine reserve forest as there is no *de-reservation* of the said forest land. Construction and establishment of non- forestry structures inside the reserved forest without obtaining permission is an Encroachment on forest land.)

This is also to state that *Deputy Registrar, NIT, Aizawl* had also been informed to apply and approach Environment, Forests & Climate Change Department to obtain permission for construction. Deputy Registrar, NIT, Aizawl had also been supplied with prescribed Forms for seeking forest clearance vide this office letter *No.B.11011/2/01-FDM/2240-43 dt. 27.10.2016*.

This is also to state that Assessment of the Encroachment Area and counting of the number of trees had also been carried out by the concerned Range Forest Officer, (Lengpui RFO) and his report had been furnished vide *No.B.13013/2/2006-LFR/1019 dt.13.1.2017* in which it is shown that 3070 Nos of trees of forest department plantation were available within the encroached area by NIT, Aizawl and it appears several trees have been felled without obtaining permission.

This is also to state that, Deputy Registrar, NIT had been reminded to initiate for regularization of the above encroachment on forest land vide *No.B.11011/2/2001-FDM/815-818 dt. 9.8.2017* and it had been clearly informed that permission in the form of Forest Clearance is required.

This is also to state that, till today, this office has not received application from NIT, Aizawl for regularization and utilization of the forest land for non-forestry purpose with payment of NPV for mutation. Now, it is evident that the encroacher is not paying attention to the repeated intimation from the office of the undersigned and there is enough reason to presume that the encroacher is not intending to apply and pursue the matter as per the

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prescribed guidelines issued by the *Ministry of Environment, Forest and Climate Change (MoEF&CC)*.

This is also to state that, *Forest (Conservation) Act, 1980* (Under Section 2) has clearly envisages that no part of reserve forest should be encroached for non- forestry purposes without permission from Competent Authority.

Therefore, keeping in view of the above facts and under these circumstances, in order to protect the reserve forests and belonging to the government and most importantly, in the Interest of the Public; now, this Stay Order is issued that encroachment should be stopped by the user agency. Director, NIT, Aizawl is hereby informed to stop all forms of encroachment on forest land. He is further informed to refrain from further felling of trees and executing of other illicit activities within the said forest land.

SD/- LALNUNSANGA KHAWLHRING

Divisional Forest Officer

Mamit Forest Division

Mamit :Mizoram

Memo No.B.11011/2/2001-FDM/ : Dated Mamit, the 31st August. 2017

Copy to :

- 1) The Principal Chief Conservator of Forests, Mizoram, Aizawl for kind information
- 2) The Director, Land Revenue & Settlement Department, Mizoram, Aizawl for kind information
- 3) The Conservator of Forests, Northern Circle, Kolasib, Mizoram for kind information.
- 4) The Director, National Institute of Technology, Aizawl, Mizoram kind information
- 5) The Range Officer, Lengpui. He is instructed to ensure that this Stay Order is complied by the user agency and to report the matter to the office the undersigned within 10 days from the issue of this letter.

Vh
31/8/2017
Divisional Forest Officer
Mamit Forest Division
Mamit :mizoram

O/C

GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
MAMIT FOREST DIVISION
MAMIT: MIZORAM

No.B.21011/8/2011-FDM/ 463

Dated Mamit, the 10th July 2019

To

✓
The Principal Chief Conservator of Forests,
CAMPA & Nodal Officer, FC,
E,F & CC Department,
Aizawl : Mizoram.

Subj: - *Report on Violation of Provisions of the Forest (Conservation) Act, 1980 - regd.*

Ref: Your letter No.B.22014/29/2010-FC/PCCF/25 Dt.15.4.2019

Sir,

Referring to the subject cited above, I am to submit herewith Report on Violation of Provisions of the *Forest (Conservation) Act, 1980* for your kind information and further perusal as under as per Format enclosed :-

1	Describe nature of offence and its extent	Violation of FC Act, 1980 by Govt Agency by Illegal construction of NIT campus inside Riverine Reserved Forest at Tlawng RRF which had been notified vide Govt Gazzete Dt 19 th May, 1965 under section 14 of Mizoram Forest Act, 1955.
2	Name of circle, district, division, range, forest block, compartment number (enclose certified copies of the Gazette notification issued under section - 4,20,28 or 29/ blanket notification alongwith khasra statement of relevant period)	Circle: Northern Circle Division: Aizawl District. Division: Mamit Forest Division. Range: Lengpui Forest Range Forest Block: Lengpui Compartment No.: NA (RRF Notification enclosed).
3	Other details of RF/PF/unclassified forests /revenue forests/ private forests/ area defined as forests under dictionary meaning/any area recorded as forests in	Beside being Riverine Reserved Forests, The encroacher, NIT (National Institute of Technology) through its agent IRCON had fallen 3070 trees of

15/7/19
P/B OF PCCF
Receipt No. 3481
Date 15-7-2019

	any Government records.	half matured Teak and Gomari spp. Trees. (Detail list of Plantation trees enumeration enclosed).
4	Area affected due to violation, photographs, video films etc	Area > 50 Ha Details of photo & film will be furnish in due course
5	Number, species and girth class wise details of trees felled, out turn, present market value, value of standing growth and potential revenue from MFP.	Beside being Riverine Reserved Forests, The encroacher, NIT (National Institute of Technology) through its agent IRCON had fallen 3070 trees of half matured Teak and Gomari spp. Trees. (<i>Detail list of Plantation trees enumeration enclosed</i>)
6	Environmental loss, loss of soil expectation value, value of standing growth and potential revenue from MFP	This is yet to be assessed
7	Date of detection of offence.:	<u>15th November, 2016</u>
8	POR/FIR number	<u>Stay Order issued to NIT vide No.B.11011/2/2001/-FDM/950-954 Dated 31st August, 2017</u>
9	Section number, act(s), rule number and rule(s) violated	<p>Section 2 of Forest Conservation Act, 1980, which may be read as:</p> <p>Restriction on the dereservation of forests or use of forest land for non-forest purpose.</p> <p>Notwithstanding anything contained in any other law for the time being in force in a State, <u>no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing-</u></p> <p>(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;</p>

(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;

Also Section 24 of Mizoram Forest Act, May be read as :

24. Acts prohibited :- Any person who in the **Government⁵ Reserved Forest :-**

(1) sets fire or in contravention of any rules made by the **State Government⁶**, kindles any fire or leaves any fire burning in such a manner as to endanger such a forest, or

(2) kindles, keeps or carries any fire except in such seasons and in such manner as the **State Government⁷** may from time to time notify, or

(3) fells, cuts, girdles marks, lops, taps or injures by fire or otherwise any trees, or

Enclosed:

- 1) Enumeration List within encroached area,
- 2) RRF Notification.

Yours faithfully

He
 10/7/2019
 (LALNUNSANGA KHAWLHRING)
 Divisional Forest Officer,
 Mamit Forest Division.
 Mamit : Mizoram