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पूर्वोत्तर क्षेत्रीय कार्यालय, शिलांग
लॉड सीब लुम्बतंगेन
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F.No.3 MN C 030/2019-SHI **3926-37**

05th March, 2019

सेवा में,

अतिरिक्त प्रमुख सचिव/ Addl. Chief Secretary,
वन और पर्यावरण विभाग/ Forest & Environment Deptt. (Forest),
मणिपुर सरकार/ Govt of Manipur,
इम्फाल/ Imphal -795,001.

Sub: Proposal for diversion of 48.288 ha of forest land for widening and improvement of main alignment of NH39 (Imphal-Moreh) of 29.526 km from Khongkhang to Moreh of Imphal –Moreh road section of NH-39(New AH-02) under ADB funded.

Sir,

This has got reference to the State Govt letter F.No. 27/30/2019-For&Env. dated 11.01.2019, No.7/236/2018/Forests/342 dated 08.02.2019 and recommendation of NBWL letter F.No. 6-226/2107-WL dated 09.01.2018 on the subject mentioned above, seeking prior approval of the Central Government in accordance with Section 2 of the FCA, 1980.

After careful consideration of the proposal of the State Government of Manipur by the Regional Empowered Committee held on 18.02.2018 and its recommendation, I am to inform that **"In Principle Approval"** is hereby granted under Section 2 of the FCA, 1980 for diversion of 48.288 ha of forest land for widening and improvement of main alignment of NH39 (Imphal-Moreh) of 29.526 km from Khongkhang to Moreh of Imphal –Moreh road section of NH-39(New AH-02) under ADB funded subject to the following conditions:

- 1) The User Agency shall transfer the cost of compensatory afforestation over double the degraded forest land i.e. 97.00 ha in Khudei Block, Tengnoupal range, Tengnoupal Forest Division in Tengnoupal District to the Adhoc CAMPA through e-payment and inform this office through the State Forest Department.
- 2) The User Agency shall pay 5(five) times of the Net Present Value(NPV) amount fixed as per the Judgment of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No.566 in WP (C) No.202/1995 and worked out by the Divisional Forest Officer(DFO), Tengnoupal Forest Division based on the Forest Type, Soil type, Eco-class etc of the forest land diverted under this

proposal as recommended by NBWL in its 46th meeting of NBWL in Ministry's letter F.No. 6-226/2107-WL dated 09.01.2018.

- 3) The User Agency shall furnish an undertaking to pay the additional amount of the Net Present Value (NPV) of the diverted forest land, if any, becoming due after finalization/revision of the same by Hon'ble Supreme Court of India.
- 4) The concerned DFO shall prepare the scheme for raising avenue plantation on both side of the road and the cost for which shall be borne by the user agency.
- 5) All the above funds received from the User Agency under the project shall be transferred to the Ad-hoc CAMPA Fund (CAF in New SB account No. 520101263743620 of Corporation Bank, CGO Complex, Phase-I, Lodhi Road, New Delhi-110003).
- 6) The User Agency shall obtain Environment Clearance as the project falls under category B before the final clearance as per the provisions of the Environment (Protection) Act, 1986, if required, under the said Act.
- 7) The following conditions imposed by the standing committee of National Board for Wildlife in its 46th meeting shall be strictly followed as mentioned in Ministry's letter F.No. 6-226/2107-WL dated 09.01.2018:-
 - (i) To mitigate the adverse impact of the project, an "Impact Mitigation and Wildlife Management Plan" has been proposed at a cost of Rs. 1320.00 lakh at the rate of 2 % of the project Cost. The cost will be borne by the user agency.
 - (ii) The user agency shall bear the cost of logging and transportation of the felled trees as per estimates of DFO/Tengnoupal Forest Division and DFO/Wildlife. Minimum number of trees which are strictly essential, will be felled for the execution of the project under strict supervision of the Forest Department.
 - (iii) The felled trees shall be distributed to bonafide villagers of the proposed area in consultation with Forest Department in the manner as provide u/s 29 of the Wildlife (Protection) Act, 1972.
 - (iv) All the non-Timber Forest produce (NFTPs) removed during execution of the project shall be made available to the local people for their bonafide uses.
 - (v) Atleast 6(six) corridors for the movement of Wildlife of minimum 6m width are to be provided by the user agency. The corridors shall be well demarcated on the highway by the user agency with caution signages.
 - (vi) The user agency shall not take any such activity which contravenes Wildlife(Protection) Act, 1972 or rules made therein.
 - (vii) The speed breakers near Corridors, turnings and blind turnings shall be provided at on the highway.
 - (viii) Caution Sign boards warning wildlife crossing shall be installed by the User Agency at all necessary point in consultation with DFO/Wildlife.
 - (ix) (a) Since the terrain is hilly with loose soil texture, it is necessary to undertake comprehensive soil conservation measures to make slopes stable, check soil erosion and landslide, (b) The User Agency shall make

necessary provisions in their project cost and construct Retaining Walls, Breast walls, Gabion structures etc. at all necessary locations (both hill side and valley side) in consultation with CRRI (Central Road Research Institute) and the State Forest Department.

- (x) Moreover, User Agency, shall also construct Storm Drains all along the proposed road with culverts at appropriate locations at their cost. The User Agency shall make necessary provisions in their project cost accordingly. They shall not take up any such construction, which diverts, stops or enhances flow of the water into or outside the Sanctuary area.
 - (xi) Avenue plantations, preferably with local wild fruit species along the constructed road shall be taken up at the cost to be borne by the User Agency.
 - (xii) Cost for demarcation of the diverted Forest Land and installation of Boundary Pillars shall be borne by the User Agency.
 - (xiii) The User Agency shall ensure that there is no damage to surrounding forests, environment, wildlife, natural resources and other public properties.
 - (xiv) Heavy machines and explosive shall not be used except under unavoidable circumstances and with the prior permission of the State Forest Department.
 - (xv) No labour camps/stores shall be established inside the Sanctuary. The User Agency shall supply fuel wood, preferably alternate fuel to the labourers working at the site to avoid damage/felling of the trees.
 - (xvi) The muck/debris generated in the earth cutting shall be disposed off at the designated sites and in no case the muck /debris shall be allowed to roll down the hills slopes.
 - (xvii) Wherever possible and technically feasible, the User Agency shall undertake Afforestation measures with local species at their own cost along the highways within the diverted area in consultation with the State Forest Department.
- (8) State Govt shall ensure that user agency shall strictly comply to the conditions imposed by the Chief Wildlife Warden, State Govt of Manipur.
 - (9) The felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of State Forest Department Forest.
 - (10) Transplanting of the important tree species affected by the project, wherever possible should be taken up by the concerned Divisional Forest Officer with the logistic support from the user agency.
 - (11) Sufficient quantity of firewood, preferably the alternate fuel, shall be provided by the user agency to the labourers after purchasing the same from the State Forest Department or the Forest development Corporation or any other legal source of alternate fuel.

- (12) The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person.
- (13) The lay out plan of the proposal shall not be changed without the prior approval of the Central Government.
- (14) 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.

After receipt of the compliance report from the State Government on fulfillment of the conditions mentioned above, final approval will be issued in this regard. Formal transfer of forest land shall not be effected by the State Govt till final approval orders approving the diversion of forest land are issued by the Central Government.

भवदीय,

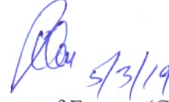


(आर. एल. सांगा/R.L.Sanga)

वन संरक्षक (केंद्रीय)/Conservator of Forests (Central)

Copy to:

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



वन संरक्षक (केंद्रीय)/Conservator of Forests (Central)