

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

No.B.22015/1/2022-FC/PCCF/Pt.

Dated Aizawl the 20th April, 2023

To,

✓ General Manager (P)
NHIDCL, PMU Seling
Ministry of Road, Transport & Highways, Govt. of India
Email: pmu.seling@nhidcl.com

Subj : Demand note for payment of Compensatory levies in respect of the proposal –
“Rehabilitation and upgradation to 2 lane with paved shoulders of Seling-Dulte
section from existing Km 0.0 to Km. 69.015 (Package 1,2,3,& 4) of NH-6 in
Mizoram under Bharatmala Pariyojna on EPC mode”.

Ref : 1) MoEF&CC GoI letter No. 3-MZ C 045/2022-SHI/101-02 dt. 17.4.2023
2) This Office letter No. B. 22015/2020-FC/PCCF/ Pt. dt. 18.4.2023

Sir,

In continuation of this Office letter No. B. 22015/2020-FC/PCCF/ Pt. dt. 18.4.2023, I am directed to state that the amount against the Sl. No. 3 for Avenue Plantation for Aizawl may be read as Rs. 26,95,768/- (Rupees twenty six lakh ninety five thousand seven hundred sixty eight) only. Further, the amount at Sl. No. 5 for cost of felling of trees may be read as NIL as at present no felling of trees required as informed by the DFOs concerned.

Yours faithfully,


(M.Z. SINGSON)

Dy. Conservator of Forests (FC)

Memo No.B.22015/1/2022-FC/PCCF/Pt.

Dated Aizawl the 20th April, 2023

Copy to:

1. The Conservator of Forests (Eastern Circle) EF&CC Dept. for kind information & necessary action.
2. The Conservator of Forests (Central Circle) EF&CC Dept. for kind information & necessary action.
3. Executive Director, NHIDCL, Aizawl Hqrs. for kind information & necessary action.
4. The Divisional Forest Officer (Aizawl) for kind information & necessary action.
5. The Divisional Forest Officer (Champhai) for kind information & necessary action.

(VANLALNUNPUII HMAR)
Asst. Conservator of Forests (FC)

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

No. B.22015/1/2020-FC/PCCF/ PL

Dated Aizawl the 18 April, 2023

To

The General Manager,
National Highways & Infrastructure Development Corporation Ltd.,
Ministry of Road Transport & Highways, Govt. of India,
PMU-Seling, Mizoram - 796161.

Sub : Demand note for payment of Compensatory Afforestation, Net Present Value, Avenue Plantation, Penal NPV and Cost of felling of trees in respect of the proposal - "Rehabilitation and upgradation to 2 lane with paved shoulders of Seling-Dulte section from Existing Km. 0.0 to Km. 69.015 (Package 1, 2, 3 & 4) of NH-6 in Mizoram under Bharatmala Pariyojna on EPC mode".

Ref: MoEF&CC, GoI letter No. 3-MZC045/2022-SHI/101-102 dt. 17.04.2023

Sir,

Kindly find enclosed herewith a copy of In-Principle Approval in respect of the above project proposal which has been granted by the MoEF&CC vide letter No. 3-MZC045/2022-SHI/101-102 dated 17.04.2023 for compliant actions in respect of the paras pertaining to you. Further, I am directed to request you to make payment of amounts towards CA, NPV, Avenue Plantation, Penal NPV and Cost of felling of trees in compliance of conditions A. (1), (2), (3), (4) and (11) of the above In-Principle Approval as per the estimates tabulated below:

| S.N | Item | Division | Estimates (in Rs.) | Amount to be paid (in Rs.) |
|---|----------------------------|----------|--------------------|----------------------------|
| 1 | Compensatory Afforestation | Aizawl | 41,20,681 | 41,20,681 |
| | | Champhai | 13,12,879 | 13,12,879 |
| 2 | Net Present Value | Aizawl | 3,03,43,907.07 | 3,03,43,907 |
| | | Champhai | 75,15,508 | 75,15,508 |
| 3 | Avenue Plantation | Aizawl | 25,92,751.82 | 25,92,752 |
| | | Champhai | 10,29,549.22 | 10,29,549 |
| 4 | Penal NPV | Aizawl | 1,22,56,674 | 1,22,56,674 |
| | | Champhai | 37,99,840 | 37,99,840 |
| 5 | Cost of felling of trees | Aizawl | 2,30,400 | 2,30,400 |
| | | Champhai | 77,610 | 77,610 |
| Total amount to be paid by User Agency | | | | Rs. 6,32,79,800 |

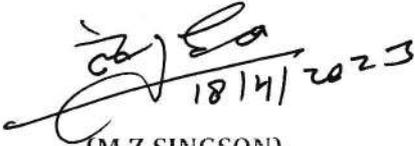
The payments are to be made as stipulated at condition No. 8 and No. 11 of the above said In-Principle Approval. In case of any revision in the amount to be paid at later stage, the balance amount if any shall be paid by the User Agency. In respect of the cost relating to boundary as per Para A. 14 of the In-Principle Approval dated 17.04.2023, the same shall be raised in due course of time after receipt of the same from Divisional Forest Officers concerned.

contd..2/-

Compliance report on the In-Principle Approval conditions may be submitted at the earliest in prescribed time for further necessary action. Copies of the estimates for penal NPV received from Divisional Forest Officers concerned.

Encl: As above

Yours faithfully,


18/4/2023
(M.Z.SINGSON)

Dy. Conservator of Forests (FC)

Memo No. B.22015/1/2020-FC/PCCF/PL

Dated Aizawl the 18 April, 2023

Copy to:

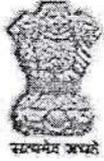
1. The Conservator of Forests (Eastern Circle) EF&CC Dept. for kind information and necessary action.
2. The Conservator of Forests (Central Circle) EF&CC Dept. for kind information and necessary action.
3. Executive Director, NHIDCL, Aizawl Hqrs. for kind information and necessary action.
4. The Divisional Forest Officer (Aizawl) for kind information and necessary action.
5. The Divisional Forest Officer (Champhai) for kind information and necessary action.

} Copy of references enclosed


18/4/23

(VANLALNUNPUII HMAR)

Assistant Conservator of Forests (FC)



भारतसरकार
GOVERNMENT OF INDIA
एकीकृत क्षेत्रीय कार्यालय
INTEGRATED REGIONAL OFFICE
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
लॉजसी बलुम्बतंगेन/LAW-U-SIB, LUMBATNGEN,
शिलॉंग/SHILLONG-793021
TEL. 0364-2537278; FAX. 0364-2536041
E-mail: moefro.shillong@gov.in



No. 3-MZ C 045/2022-SHI/101-02

17th April, 2023

To,

Principal Secretary,
Government of Mizoram,
Environment, Forests & Climate Change Department,
Aizawl-796001.

Sub : Proposal for diversion of 27.850022 Ha of forest land for Rehabilitation and Up-gradation to 2-lane with paved shoulders of Seling-Dulte section (Economic Corridor) of NH-6 from Existing Chainage km 0+000 to km 69+015 (Design Chainage km 0+000 to km 62+200) by NHIDCL.

Sir,

This has got reference to the State Government of Mizoram letter No.G.20015/73/2022-FST dated 04.10.2022 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

2. After examination of the proposal and on the basis of the recommendation of the Regional Empowered Committee (REC) in its meeting held on 30.11.2022 and additional information submitted by the State Govt vide G.20015/73/2022-FST dated 13.02.2023 and on receipt of **ex-post facto approval** from the Competent Authority, MoEF&CC, New Delhi, the **In-principle / Stage-I ex-post facto approval** of the Central Government is hereby granted for diversion **27.850022 Ha** of forest land for Rehabilitation and Up-gradation to 2-lane with paved shoulders of Seling-Dulte section (Economic Corridor) of NH-6 from Existing Chainage km 0+000 to km 69+015 (Design Chainage km 0+000 to km 62+200) 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 Ministry's Guideline No.5-3/2011-FC (Vol.I) dated 06.01.2022 and even No. dated 19.01.2022. 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;
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 though e-portal;
4. The penalty for violation shall be equal to NPV of forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum up to five (5) times of NPV plus 12 % simple interest till the deposits is made. In this case, 20% of

the above penalty shall be imposed, as this proposal is for public utility project of the Government and compliance shall be submitted within one month to IRO for intimation to Ministry, New Delhi.

5. State Government will initiate disciplinary action against the Forest officers/officials concerned as per Rules / Laws for not being able to prevent use of forest land for non-forestry purpose without prior approval of Government of India and compliance shall be submitted within one month to IRO for intimation to Ministry, New Delhi.

6. Muck shall be disposed at designated sites as per the plan approved by Competent Authority and an undertaking shall be submitted by User Agency in this regard before issuance of Stage-II approval.

7. User agency, NHIDCL, responsible for violation shall be prosecuted under local Act of the State for unauthorized use of forest land without the permission of State authority.

8. 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;

9. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;

10. The KML files of the area to diverted, the CA area shall be uploaded on the e-Green watch portal with all requisite details before issuing working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be;

11. The cost of felling of trees shall be deposited by the User Agency with the DFO concerned;

12. The State Govt shall submit the copy of the notification of mutation of the equivalent non-forest land identified for the compensatory afforestation prior to issue of working permission or submitting compliance report to the IPA whichever is earlier.

13. Undertaking from the user agency to undertake special measures for prevention of landslide / erosion by biological or mechanical measures and stabilization of side slope to avoid soil erosion and landslides as per requirement and proposed for the Muck Dumping.

14. 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 coordinates and the amount shall be deposited with the DFO concerned ;

15. 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;

16. 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. S-2/2017-Fc dated 28.03.2019;

17. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);

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 Non-forest i.e. 29.080 ha at Khawbel, Chhingchhip Range, Thenzawl Forest Division, Serchhip District;
3. The non-forest land transferred and mutated in favour of the State Forest Department shall be notified by the State Government as Reserve Forest/Protected Forest under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act latest within a period of six months from the date of issue of Stage-II approval. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act as the case may be, within the stipulated period to the Central Government for information and record.
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.

This is issued with approval of Deputy Director General of Forests (C).

भवदीय,

(Mrs. L. J.Syiemiong)

वनउपमहानिरीक्षक (केंद्रीय) /Deputy Inspector General of Forests (C)

Copy to:

1. Additional Principal Chief Conservator of Forests & Nodal Officer (FC), Govt. of Mizoram,
Department of Environment, Forests & Climate Change Department, Aizawl.

वनउपमहानिरीक्षक (केंद्रीय) /Deputy Inspector General of Forests (C)

448
3)

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

No.F.20018/2/2022-DFO(A)/781

Dated Aizawl, the 13th Jan/2023

To

The General Manager (P), NHIDCL
PMU – Seling, Mizoram

Subj: *Rehabilitation and upgradation to 2-Lane with paved shoulders of Seling – Dulte (economic corridor) of NH-6 from existing chainage Km 0+000 to Km 69+015 (designed chainage Km 0+000 to Km 62+200) (Package- 1, 2, 3 & 4) in the state of Mizoram under Bharatmala Pariyojna on EPC Mode.*

Ref: No.F.20018/2/2019-DFO(A)/750 dt.30.12.2022

Sir,

With reference to letter no. cited above, you have been informed Package-wise duration and area violated by your agency before obtaining forest clearance. Accordingly, Package-wise penal NPV should be given by you have been calculated here under as per the direction of the Ministry of Environment, Forest & Climate Change, Govt. of India vide letter F.No.11-42/2017-FC dated 29.01.2018 (copy enclosed).

1. **PACKAGE – 1** (within West of Tuirini RRF from chainage 9.520 km. to 13.500 km.)
 - a) 2 (two) times the NPV (Class-I, Open forest @ Rs.11,16,900/Ha.) - Rs.22,33,800/Ha.
 - b) Duration of violation - 1.66 years
 - c) Area violated - 3.6096 Ha.
 - Total - Rs.1,33,84,786/-
 - d) 20% of the penalty proposed for public utility Projects of the Government - Rs.26,76,957/-

2. **PACKAGE – 2** (within East of Tuirini RRF from chainage 13.500 km. to 14.500 km.)
 - a) 2 (two) times the NPV (Class-I, Open forest @ Rs.11,16,900/Ha.) - Rs.22,33,800/Ha.
 - b) Duration of violation - 1.58 years
 - c) Area violated - 1.52 Ha.
 - Total - Rs.53,64,694/-
 - d) 20% of the penalty proposed for public utility Projects of the Government - Rs.10,72,939/-

Contd/2-

3. **PACKAGE - 3** (within West of Tuivawl RRF from chainage 41.480 km. to 45.040 km.)

- a) 2 (two) times the NPV (Class-I, Open forest @ Rs.11,16,900/Ha.) - Rs.22,33,800/Ha.
b) Duration of violation - 1.92 years
c) Area violated - 2.6219 Ha.
Total - Rs.1,12,45,056/-
d) 20% of the penalty proposed for public utility Projects of the Government - **Rs.22,49,011/-**

4. **PACKAGE - 4** (within West of Tuivawl RRF from chainage 45.040 km. to 49.200 km.)

- a) 2 (two) times the NPV (Class-I, Open forest @ Rs.11,16,900/Ha.) - Rs.22,33,800/Ha.
b) Duration of violation - 2 years
c) Area violated - 7.0035 Ha.
Total - Rs.3,12,88,836/-
d) 20% of the penalty proposed for public utility Projects of the Government - **Rs.62,57,767/-**

As above calculation, you are hereby informed that total amount of 20% of the penalty proposed for public utility projects of the Government for Package - 1, 2, 3 & 4 is **Rs.1,22,56,674/- (Rupees one crore twenty two lakh fifty six thousand six hundred seventy four only)** and 12% Simple Interest should be given by you till the deposits is made from the date of issue of this letter.

Yours faithfully,

Enlco: As above.


(LALTLANHLUA ZATHANG)
Divisional Forest Officer
Aizawl Forest Division
Aizawl, Mizoram

Memo No.F.20018/2/2022-DFO(A)/781
Copy to:

Dated Aizawl, the 13th Jan/2023

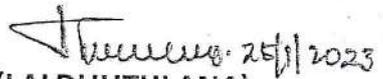
- 1) The Addl. Principal Chief Conservator of Forests & Nodal Officer (FC), Mizoram for kind information.
- 2) The Conservator of Forests, Central Circle for kind information and necessary action.


Divisional Forest Officer
Aizawl Forest Division
Aizawl, Mizoram

Calculation of Penal NPV for violation of FCA in 6.7289 hectares of forest land under NH-6 in Champhai Forest Division

| | | |
|--|---|--|
| Area of violation | - | 6.7289 hectares |
| Length of Violation | - | 2.2 years |
| Eco-value class of forest | - | Class - I (Open Forest) |
| Normal rate of NPV for Class-I (Open Forest) | - | Rs. 11,16,900/-per hectare |
| Two times the rate of normal NPV | - | Rs. 22,33,800/- per hectare |
| Rate of Simple Interest | - | 12% |
| Total NPV amount | - | Rs.1,50,31,016/- |
| Simple interest (SI) amount | - | Rs.39,68,188/- |
| Total penal NPV to be charged | - | Rs.1,50,31,016 + Rs.39,68,188/- Rs. 1,89,99,204/- |
| 20% of total NPV payable by the User Agency | - | Rs.37,99,840/- |

(Rupees thirty seven lakh, ninety nine thousand, eight hundred forty) only.


(LALDUHHLANA)
Divisional Forest Officer
Champhai Forest Division
Champhai :: Mizoram