

Government of Manipur
Office of the Principal Chief Conservator of Forests
(Climate Change & FCA)
Sanjenthong, Imphal

No.7/284/2021/Forests: 245

Imphal, the 2nd..... December, 2022

To

The Addl. Chief Secretary (For &Envt.)
Government of Manipur

Sub:- Diversion of 54.933 ha of Forest Land for construction of two-lane with paved shoulder of Tamenglong-Phelong Section (Package-III) from km 31.430 to 43.480 of Tamenglong-Mahur Road in the State of Manipur on EPC Mode by NHIDCL. **Submission of Compliance Report - Reg.**

Sir,

I am to say that the Central Government vide letter No. 3 MNC 041/2021-SHI/661-62 dated 28th October, 2021 conveyed the 'In-Principle Approval' for diversion of 54.933 ha of Forest Land for construction of two-lane with paved shoulder of Tamenglong-Phelong Section (Package-III) from Km 31.430 to 43.480 of Tamenglong-Mahur Road in the State of Manipur on EPC Mode by NHIDCL under Section-2 of FCA (1980) subject to compliance of stipulated conditions mentioned in the IPA. The User Agency (NHIDCL) and Divisional Forest Officer/Tamenglong Forest Division have complied with the said conditions and the Compliance Report is given below:

A. Condition which needs to be complied prior to handing over of Forest Land by the State Forest Department.

Para No.	Stipulated Conditions	Details of compliance
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.	Complied. The User Agency had deposited a total sum of Rs. 4,20,49,600/- (Rupees Four Crore Twenty Lakh Forty-Nine Thousand Six Hundred Only) as cost of NPV to CAMPA account through online PARIVESH portal dt. 24.11.2021 Copy of status of payment in Parivesh portal enclosed. Annexure-I & II
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.	Complied. The User Agency had deposited a total sum of Rs. 1,72,50,000/- (Rupees One Crore Seventy-Two Lakh Fifty Thousand Only) as cost of Compensatory Afforestation to CAMPA account through online PARIVESH portal 24.11.2021. Copy of status of payment in Parivesh portal enclosed. Annexure-I & II
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.	Complied. The User Agency had deposited a sum of Rs. 1,20,26,600/- to CAMPA account through online PARIVESH portal dated 09.06.2022. Annexure-IV
4.	All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA account only through e-portal (http://parivesh.nic.in/). Amount deposited through other mode will not be accepted as compliance of the STAGE-I clearance.	Complied. Annexure-I, II & IV

5.	The compliance report shall be uploaded on e-portal (http://parivesh.nic.in/).	Complied.
6.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector.	Undertaking enclosed as Annexure-V .
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 the Ministry's letter No. 5-2/2017-Fc dated 28.03.2019.	Undertaking enclosed as Annexure-VI .
8.	The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.	Complied. The User Agency deposited a sum of Rs. 6,58,000/- for Extraction of trees to the account of the Divisional Forest Officer/Tamenglong dated 09.06.2022. Annexure-VII
9.	The User Agency shall transfer Rs. 30.0 lakhs towards the cost for the establishment of an integrated Check Post/Transit Camp to monitor illegal activities along with small camp as recommended by the REC.	The User Agency deposited a sum of Rs. 30.0 lakhs towards the cost for establishment of an integrated Check Post/Transit Camp to the account of DFO/Tamenglong dt. 24.11.2021. As per Report submitted by DFO/Tamenglong, the works for integrated Check Post/Transit Camp has been started and it is under progress.
10.	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 the 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;	Undertaking enclosed as Annexure-VIII
11.	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;	Undertaking enclosed as Annexure-IX
12.	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.	Undertaking enclosed as Annexure-X
13.	Undertaking from User Agency and State Forest Department of jointly identity activities in consultation with concerned villagers for construction of wayside amenities like waiting shed, marketing sheds etc. along the highway for the benefit of villagers and incorporate into the proposal, if found necessary.	Undertaking enclosed as Annexure-XI

B. Conditions which need to be strictly complied on field after handling over the forest land to the User Agency by the State Forest Department but compliance in form of Under taking shall be submitted Prior to Stage-II Approval.

Para No.	Stipulated Conditions	Mode of compliance
1.	Legal status of the diverted forest land shall remain unchanged.	Undertaking enclosed as Annexure-XII
2.	Compensatory Afforestation shall be raised over double degraded forest area i.e. 40 ha in Namtiram Part-I, Impa Block/Compartment; 40 ha in Namtiram Part-II, Impa Block/Compartment and 30 ha in Upper Sonpram, Tharon Block/Compartment in Tamenglong Forest Division.	The User Agency had deposited a sum of Rs. 1,72,50,000/- as cost of Compensatory Afforestation to CAMPA account and Compensatory Afforestation shall be taken up by DFO/Tamenglong Forest Division once the fund is released.
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.	Undertaking enclosed as Annexure-III
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.	Undertaking enclosed as Annexure-XIII.
5.	No damage to the flora and fauna of the adjoining area shall be caused.	Undertaking enclosed as Annexure-XIV.
6.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Undertaking enclosed as Annexure-XV.
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.	Complied as per report submitted by DFO/Tamenglong Forest Division.
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.	User Agency submitted Undertaking enclosed as Annexure-XVI.
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.	User Agency submitted Undertaking enclosed as Annexure-XVII.
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.	User Agency submitted Undertaking enclosed as Annexure-XVIII.

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	User Agency submitted Undertaking enclosed as Annexure-XIX .
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.	Noted.

Based on the fulfilment of the compliances of the conditions stipulated in the 'In-Principle Approval' dated 28.10.2021, the MoEF & CC may be requested to accord 'STAGE-II Approval' of the proposal under Forest (Conservation) Act, 1980.

Enclosed:

1. IPA Letter No. 3 MNC 041/2021-SHI/661-62 dated 28th October, 2021
2. Compliance report submitted by the User Agency (NHIDCL).
3. Compliance report submitted by the DFO/Tamenglong.

Yours faithfully,



(Dr. Aditya Kumar Joshi)
Principal Chief Conservator of Forests & HoFF
Government of Manipur
Dr. Aditya K. Joshi
PCCF & HOFF
Government of Manipur

No.7/284/2021/Forests:

Imphal, the 2nd.... December, 2022

Copy to:

1. The Conservator of Forests/Western Circle, Government of Manipur.
2. The Divisional Forest Officer/Tamenglong Forest Division, Government of Manipur.
3. The General Manager (P), NHIDCL, PMU – Tamenglong.