

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

No.B.22015/2/2023-FC/PCCF/187

Dated Aizawl the 3th Nov., 2023

To

✓
The Principal Secretary to Govt. of Mizoram,
Environment Forests & Climate Change Department,
Aizawl : Mizoram.

Subj: **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) – “Verification of conditions stipulated in In-principle Approval” reg.**

Ref: IRO Shillong, MoEF&CC's letter No.3-MZC045/2022-SHI/101-02 dt. 17.04.2023

Sir,

With reference to the subject and letter cited above, I am directed to furnish herewith a consolidated report on compliance of In-Principle Approval conditions and its verification reports in respect of the project proposal under reference. Copy of the In-Principle Approval Compliance report submitted by User Agency along with concerned Divisional Forest Officer's verification report is enclosed for ready reference.

In view of above, the project proposal may be forwarded to Integrated Regional Office Shillong, MoEF&CC for issuance of Stage-II Approval.

Enclo:- As above

Yours faithfully,


(LALRAMMAWII SAILO)
Conservator of Forests (FC)

Memo No.B.22015/2/2023-FC/PCCF

Dated Aizawl the th Nov., 2023

Copy to:

1. Deputy Inspector General of Forests, Integrated Regional Office (Shillong), Ministry of Environment Forest & Climate Change, Law-U-Sib, Lumbatngen Shillong – 793021.
2. Conservator of Forests (Eastern Circle), EF&CC Deptt. for kind information.
3. Conservator of Forests (Central Circle), EF&CC Deptt. for kind information
4. Divisional Forest Officer (Aizawl) for kind information.
5. Divisional Forest Officer (Champhai) for kind information.


(VANLALNUNPUII HMAR)
Assistant Conservator of Forests (FC)

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

Para No.	Conditions stipulated by MoEF&CC	Compliance report by UA	DFO Aizawl's verification	DFO Champhai's verification	Nodal Officer verification
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.	Fund deposited in CAMPA fund. Proof of Deposit is enclosed at Annexure-I for reference.	No comment. This must have been shown in the CAMPA Account.	The User Agency has transferred NPV of forest land.	User Agency has deposited Rs.3,78,59,415/- towards Net Present Value (NPV) in CAMPA Account (UBI, Bengaluru) on dt. 17.05.2023.
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			The User Agency has transferred the cost of raising and maintaining CA.	User Agency has deposited Rs. 54,33,560/- towards Compensatory Afforestation (CA) in CAMPA Account (UBI, Bengaluru) on dt. 17.05.2023.

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.			The User Agency has transferred the cost of raising Avenue Plantation	User Agency has deposited Rs. 37,25,317/- towards Avenue Plantation in CAMPA Account (UBI, Bengaluru) on dt. 17.05.2023.
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.			No compliance report needed	User Agency has deposited Rs. 1,60,56,514/- towards penal NPV in CAMPA Account (UBI, Bengaluru) on through e-portal (https://parivesh.nic.in) on dt. 17.05.2023.
5	State Government will initiate disciplinary action against the Forest and NHIDCL officers / officials concerned as per State Forest laws for not being able to prevent use of forest	-	-	No compliance report needed.	Regarding disciplinary action against forest officials, it may be submitted that Show Cause Notices were served to concerned Range Officers. Detailed Action Taken Report of Divisional Forest Officers is

	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.		Chainage-wise muck disposal report are shown below (detailed report enclosed as Annexure – X)		enclosed as Annexure - XII and Annexure - XIII.																																												
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.	Undertaking enclosed at Annexure – II.	<table><tr><th>Chainage</th><th>Verification Report</th></tr><tr><td>1+400 to 1+450</td><td>Retaining wall present but overflown</td></tr><tr><td>2+000 to 2+330</td><td>No supporting structures</td></tr><tr><td>2+600 to 2+700</td><td>No supporting structures</td></tr><tr><td>3+200 to 3+350</td><td>Gabion/Toe wall damaged and overflown</td></tr><tr><td>3+500 to 3+550</td><td>Gabion/Toe wall present and damaged.</td></tr><tr><td>3+620 to 3+820</td><td>1) Gabion/Toe wall present and damaged. 2) No supporting structure</td></tr><tr><td>4+080 to 4+100</td><td>No supporting structure</td></tr><tr><td>4+560 to 4+820</td><td>Gabion/Toe wall present, damaged and overflown</td></tr><tr><td>4+600 to 4+650</td><td>Gabion wall damaged</td></tr><tr><td>5+800 to 5+850</td><td>Toe wall damaged</td></tr><tr><td>6+550 to 6+590</td><td>Gabion/Toe wall present and overflown</td></tr><tr><td>6+780 to 6+830</td><td>Toe wall damaged</td></tr><tr><td>7+800 to 7+900</td><td>No supporting structures</td></tr><tr><td>9+700 to 9+980</td><td>No supporting structures</td></tr><tr><td>10+130 to 10+160</td><td>No supporting structures</td></tr><tr><td>10+640 to 10+690</td><td>No supporting structures</td></tr><tr><td>11+410 to 11+480</td><td>Toe wall damaged</td></tr><tr><td>12+500 to 12+800</td><td>No supporting structures</td></tr><tr><td>13+200 to 13+280</td><td>No supporting structures</td></tr><tr><td>13+600 to 13+690</td><td>Toe wall damaged</td></tr><tr><td>13+900 to 13+950</td><td>Gabion/Toe wall damaged</td></tr></table>	Chainage	Verification Report	1+400 to 1+450	Retaining wall present but overflown	2+000 to 2+330	No supporting structures	2+600 to 2+700	No supporting structures	3+200 to 3+350	Gabion/Toe wall damaged and overflown	3+500 to 3+550	Gabion/Toe wall present and damaged.	3+620 to 3+820	1) Gabion/Toe wall present and damaged. 2) No supporting structure	4+080 to 4+100	No supporting structure	4+560 to 4+820	Gabion/Toe wall present, damaged and overflown	4+600 to 4+650	Gabion wall damaged	5+800 to 5+850	Toe wall damaged	6+550 to 6+590	Gabion/Toe wall present and overflown	6+780 to 6+830	Toe wall damaged	7+800 to 7+900	No supporting structures	9+700 to 9+980	No supporting structures	10+130 to 10+160	No supporting structures	10+640 to 10+690	No supporting structures	11+410 to 11+480	Toe wall damaged	12+500 to 12+800	No supporting structures	13+200 to 13+280	No supporting structures	13+600 to 13+690	Toe wall damaged	13+900 to 13+950	Gabion/Toe wall damaged	An undertaking has been executed by the UA as stated by them. DFO and staff also monitored muck disposal twice and in compliance of suggestion for mitigative measures, the UA has taken necessary steps by constructing structures at different spoil banks / muck disposal sites. Photos of the structure constructed by the construction agency i.e. Anusha Project Private Ltd. and the inspecting team are enclosed as Annexure – XI. In the second visit, observation against some of the structures are as follows: Spoil bank 11: Existing structure is being extended and almost completed. Spoil bank 13: Height and strength of the stone masonry structure needs to be increased. Spoil bank 17: Stone masonry structure is found affective. However a new	No comments
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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.	Fund deposited in CAMPA fund. Proof of Deposit is enclosed at Annexure-I for reference.	No comment. This must have been shown in the CAMPA Account	Already done by the UA.	The funds amounting to Rs. 6,30,74,806/- towards NPV, CA, Avenue Plantation and penal NPV have been deposited by User Agency in CAMPA Account (UBI, Bengaluru) through e-portal (https://parivesh.nic.in) on dt.17.05.2023.
9	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector.	-	-	FRA 2006 is not applicable in Mizoram State.	FRA, 2006 is not applicable in the State of Mizoram, a copy of which is also uploaded in PARIVESH Portal.
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 issue working permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be	-	-	Uploading of kml files of the area to be diverted and the CA area on the e-Green Watch portal is being done.	Action is being undertaken by concerned Divisional Forest Officers.
11	The cost of felling of trees shall be deposited by the User Agency with the DFO concerned.	The costs of felling of trees have been deposited with the DFO concerned. Proof	Funds received and works had already been executed.	The cost of trees felled has been deposited by the UA amounting to Rs.77,610/-.	The User Agency has deposited a total of Rs.3,08,010/- for cost of felling of trees to concerned DFOs account.

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.	-	-	of Deposit is enclosed at Annexure-III for ready reference.		To be complied by the State Govt.	Notification for mutation of non-forest land for CA of No.K.12011/59/2020-REV dt.09.03.2022 has been duly uploaded and verified on dt.05.07.2023 in PARIVESH Portal.
13	Undertaking from the user agency to undertake special measures for prevention of landslide/erosion by biological or mechanical measures and stabilization of the side slope to avoid soil erosion and landslides as per requirement and proposed for the Muck Dumping.	Undertaking enclosed at Annexure-IV.	Biological measures of raising corn grass were observed at scattered locations. But natural regenerated local species are more prominent.		UA has stated that undertaking has been executed by them.	No comments.	
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.	Temporary demarcation is already done. Permanent demarcation of diverted forest land on the ground is to be done by Contractor during construction.	No temporary demarcation found. neither permanent	Estimate for boundary pillars has been prepared by the division and the UA has stated that necessary payment had been done.	User Agency has deposited Rs. 91,88,900/- towards erection of boundary pillar in CAMPA Account (UBI, Bengaluru) on dt. 04.09.2023. through e-portal (https://parivesh.nic.in)		

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.	Undertaking at enclosed Annexure-V.	Drainage and Breast Wall were observed in a scattered location.	The UA has stated that they have made an undertaking. Inspection on the ground also revealed that side drains and cross drains were properly made, retaining breast walls were also made. In addition, steep slopes were reduced by breaking into 2/3 falls by constructing bench terraces.	No comments.
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. 5-2/2017-FC dated 28.03.2019	Noted.	-	No compliance report needed.	
17	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/):	Noted.	No comment	To be complied by the State Govt.	Compliance report has been uploaded in PARIVESH Portal.

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.

Para No.	Conditions stipulated by MoEF&CC	Compliance report by UA	DFO Aizawl's verification	DFO Champhai's verification	Nodal Officer verification
1	Legal Status of the diverted forest land shall remain unchanged.	-	-	Diverted forest land will remain as Reserved Forest.	User Agency has agreed to abide by this condition.
2.	Compensatory Afforestation shall be raised over non-forest i.e 29.08 ha at Khawbel, Chhingchhip Forest Range, Thenzawl Forest Division, Serchhip District.	-	-	CA Scheme would be included in the APO of State CAMPA.	Actions for carrying out CA plantation are being undertaken.
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 of 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 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.	-	-	To be complied by the State Govt.	Actions on notifying mutated land as Reserved Forest will be undertaken in due course of time.

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;	Noted. Undertaking enclosed at Annexure-VI.	No comment	Forest land to be diverted will not be transferred to any other agency, department or person.	No comments
5	No damage to the flora and fauna of the adjoining area shall be caused;	Noted. Undertaking enclosed at Annexure-VII.	Many flora and fauna were damaged due to construction.	Concomitant monitoring of the project implemented is done by the concerned District Level Monitoring Committee and Department Officials to avoid damage to the flora and fauna of the adjoining areas	No comments
6	The layout plan of the proposal shall not be changed without the prior approval of the Central Government	Noted. Undertaking enclosed at Annexure-VIII.	No comment	Complied with by the UA.	No comments
7	The concerned Divisional Forest Officer, will monitor and take necessary mitigative measure to ensure that there is no adverse impact on the Forest in the surrounding area;	-	-	Concerned DFO conducted monitoring and taken mitigative measures to ensure that there is no adverse impact on the forest in the surrounding area.	No comments
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;	Noted. Undertaking enclosed at Annexure-IX.	No comment	UA stated that undertaking for re-grassing of the muck dumping area and restored the land to a condition which is fit for growth of fodder, flora, fauna etc. has been executed. It has been confirmed from the site inspection that this has been fulfilled.	No comments

9	The user Agency shall submit the annual self-compliance report in respect of the above stated condition to the State Government, concerned Regional Office and to the Ministry by the end of March every year;	Noted.	No report received from the User Agency	No comment.	No comments
10	The user agency shall comply all the provisions of the all Act, 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;	Noted.	No comment	No comment.	No comments
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;	Noted.	No comment	No comment.	No comments
12	As per Ministry's letter No. 11-30/96-FC(pt) dt. 14.09.2001, if the compliance of stipulated condition is awaited from the State Govt. for more than 5 (five) years, the in-principal approval would be summarily be revoked considering that the user agency is no longer interested in the project;	-	-	No comment.	No comments