

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/ 303

Date: 21.12.2020

To,
Divisional Forest Officer
Lunglei Forest Division
Lunglei, Mizoram

Sub: Widening and Upgradation to 2-Lane with paved shoulder configuration and geometric improvements from Km 8.000 to Km 380.000 on Aizawl-Tuipang section on NH-54 in the state of Mizoram on EPC mode with JICA loan assistance “Compliance report for granting In-principle approval for diversion of 0.78Ha of Addl. Reserve forest area-Reg”

Ref: 1. DFO letter no- F.20017/2/2020-DFO (L)/7, dt 18.11.2020.
2. PCCF letter no B.22019/17/2019-FC/PCCF/139, dt 03.10.2020

Sir,

With reference to the subject cited above and vide letter ref. SN(1) & SN(2) compliance report along with annexure-I to XVI is submitted.

Sr. No.	Conditions imposed by MoEFCC Regional Office	Action to be taken	Compliance Status
1	Legal Status of the forest land shall remain unchanged	Legal Status of the forest land shall remain forest land	Agreed
2	Forest-land will be handed over only after required non-forest land for the project is handed over to the user agency	To be noted by UA	Noted
3	The compensatory afforestation shall be taken up by the Forest Department over 2.0 ha identified at KhawtenTlang, Suangpuilawn, Darlawn Forest Division at the cost of the user agency. As far as possible, mixture of local indigenous species shall be planted and monoculture of any species may be avoided.	Action will be taken by the State Forest Department	-

4	<p>The proposed non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department and shall be declared RF/PF under section 4 or Section 29 of the Indian Forest Act, 1927. Working permission shall not be Issued till mutation of the non-forest land for CA to Forest Department is done. The Nodal Officer shall report compliance prior to submission of compliance report to In-principle approval.</p>	<p>The CA land transferred and mutated in favour of the State Forest Department by the Land Revenue & Settlement Department of Mizoram vide No. K.12011/8/2019-EV/Dt 5.11.2019 has to be declared as RF/PF under section 4 or Section 29 of the Indian Forests Act, 1927 SFD take necessary action for declaring the mutated area as Reserve Forest from the concerned Authorities.</p>	<p>Land Revenue & Settlement Department of Mizoram, handed over the land for CA. SFD is in process for declaring the land as RF/PF</p>
5	<p>The cost of the compensatory afforestation at the prevailing wages as per the compensatory afforestation scheme shall be deposited in the Comensatory Afforestation fund of the state through e-portal. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.</p>	<p>The User Agency has to deposit Rs.- 1,31,960/- towards Compensatory Afforestation as per the CA scheme prepared at current wage rate. Estimate enclosed herewith at Annexure-I</p>	<p>Payment made on 03.11.2020.</p>
6	<p>The State Govt shall charge the Net Present Value for the 0.78 ha forest area to be diverted under the proposal from the User Agency as per the judgement of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 & 09.05.2008 in IA No.5-2/2006-FC dated 03.10.2006 No.5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through e-portal.</p>	<p>The User Agency has to deposit Rs.5,69,400/- towards NPV of the diverted forest land as per estimate enclosed at Annexure-II</p>	<p>Payment made on 03.11.2020.</p>

7	Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Govt from the User Agency. The User agency shall furnished an undertaking top this effect.	The user agency has to furnish an undertaking (in separate sheet) to this effect	Complied the condition & furnished the Undertaking as annexure I
8	All the funds received from the User Agency under the project towards compensatory levies (CA, NPV, Avenue plantation, etc) shall be transferred /deposited to Compensatory Afforestation Fund of Mizoram State only through e-portal mode.	The User Agency has to deposit fund of Rs.2,09,496/- for Avenue plantation at as per the estimate enclosed at Annexure-III All the funds i.e Fund for CA, NPV & Avenue Plantation amounting to Rs. 9,10,829/- has to be transferred/ deposited to Compensatory afforestation fund of Mizoram state only through e-portal mode with intimation to this office.	Payment made on 03.11.2020.
9	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer	The User Agency as per the directions of DFO, Lunglei shall demarcate the boundary of the diverted forest land on ground at the project cost. Action taken/Compliance report shall be submitted by DFO, Lunglei after action is taken in this regard. The user agency may also furnish an undertaking (in separate sheet) to this effect.	Complied the condition & furnished the Undertaking as annexure II

10	The expenditure like felling, logging and transportation of project affected trees should be collected from the user agency at the rates approved by the State Govt and deposited with the DFO concerned for utilization immediately following the diversion of the forest land.	Fund for extraction of project affected trees already deposited by the User Agency to State CAMPA. Fund shall be released to DFO, Lunglei shortly for tree harvesting as per guidelines of the forest Conservation Act-1980	Complied from the end of User Agency
11	The expenditure like boundary walls, stone pillars, and demarcation charges cost of damage of trees the fund on these accounts should be deposited with DFO concerned	Shall be complied with by User Agency in consultation with DFO, Lunglei. Action taken/Compliance report shall be submitted by DFO, Lunglei after action is taken in this regard. The user agency has to furnish an undertaking (in separate sheet) to this effect.	Complied the condition & furnished the Undertaking as annexure III.
12	The user agency shall restrict the felling of trees to minimum number in the diverted forest land and trees shall be felled under strict supervision of State Forest Department and the cost of the felling trees shall be deposited by the user agency with the State Forest Department	DFO, Lunglei shall ensure that the UA restricted the felling of trees to minimum number in the diverted forest land and trees shall be felled. Action taken/ Compliance report shall be submitted by DFO, Lunglei in this regard The user agency has to furnish an undertaking (in separate sheet) that they shall restrict the felling of trees to minimum number in the diverted forest.	Complied the condition & furnished the Undertaking as annexure IV.

13	The complete compliance to the Forest Right Act, 2006 shall be ensured by way of prescribed certificate from the concerned District collector.	Not applicable	-
14	User Agency shall raise strip plantation on both sides and central verge of the road as per IRC norms.	The User Agency has to raise strip plantation as per IRC norms as stated. The UA may consult concerned DFO, Lunglei in this regard for taking necessary action. The user agency has to furnish an undertaking (in separate sheet) to this effect.	Complied the condition & furnished the Undertaking as annexure V.
15	Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forests Areas.	To be complied by the UA. DFO, Lunglei must ensure the compliance of this condition by UA. The user agency has to furnish an undertaking (in separate sheet) to this effect.	Complied the condition & furnished the Undertaking as annexure VI.
16	The user agency shall provide suitable under/ over pass in Protected Areas /Forest Area, as per recommendations of CWLW /NBWL /REC	To be complied by the UA in consultation with CWLW, Mizoram. The user agency has to furnish an undertaking (in separate sheet) to this effect.	Complied the condition & furnished the Undertaking as annexure VII.
17	The User Agency shall obtain Environment Clearance as per the project provisions of the Environment (Protection) Act, 1986, if required under the said Act.	Non applicable	-
18	The lay out plan of the proposal shall not be changed without the prior approval of the Central Government.	To be strictly complied by the UA. Undertaking in this regard maybe submitted by the UA	Complied the condition & furnished the Undertaking as annexure VIII.

19	No labour camp shall be established on the forest land.	To be strictly complied by the UA. DFO, Lunglei must ensure the compliance of this condition by UA. Undertaking in this regard maybe submitted by the UA.	Complied the condition & furnished the Undertaking as annexure IX.
20	Sufficient quantity of firewood, preferable 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.	To be complied by the UA. DFO, Lunglei must ensure the compliance of this condition by UA. Undertaking in this regard maybe submitted by the UA.	Complied the condition & furnished the Undertaking as annexure X.
21	The boundary of the diverted forest land shall be suitably demarcated on the ground at the project cost, as per the directions of the concerned Divisional Forest Officer	Shall be complied with by User Agency in consultation with DFO, Lunglei. Action taken/Compliance report shall be submitted by DFO, Lunglei after action is taken in this regard. The user agency has to furnish an undertaking (in separate sheet) to this effect.	Complied the condition & furnished the Undertaking as annexure XI.
22	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.	To be complied by the UA. DFO, Lunglei must ensure the compliance of this condition by UA. Undertaking in this regard maybe submitted by the UA.	Complied the condition & furnished the Undertaking as annexure XII.
23	The period of diversion under this approval shall be coterminous with the period of lease to be granted in favour of the user agency or the project life, whichever is less.	To be noted by UA	Noted

24	The forest land shall not be used for any purpose other than that specified in the project proposal	To be noted by UA	Noted
25	The forest land proposed to be diverted 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 without prior approval of Govt. of India.	To be complied by the UA. Undertaking in this regard maybe submitted by the UA (in separate sheet).	Complied the condition & furnished the Undertaking as annexure XIII.
26	The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river boulder is to be extracted from forest land, if necessary.	To be complied by the UA if stone, river sand, river boulder is to be extracted from forest land. The user agency has to furnish an undertaking (in separate sheet) to this effect.	Complied the condition & furnished the Undertaking as annexure XIV.
27	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per MoEF & CC Guideline F.No.11-42/2017-FC dt. 29/01/2018.	To be noted by UA. Undertaking in this regard maybe submitted by the UA (in separate sheet).	Complied the condition & furnished the Undertaking as annexure XV.
28	As per Ministry's letter No. 11-30/96-FC(Pt) dt.14.09.2001, if the compliance of stipulated conditions is awaited from the State Govt. for more than 5(five) years, the in-principle approval would summarily be revoked considering that the user agency is no longer interested in the project.	To be noted by UA	Noted
29	Any other conditions that the North Eastern Regional Office, Ministry of Environment, Forests & Climate Change may be stipulated from the time in the interest of conservation, protection And development of forests & Wildlife.	The user agency has to furnish an undertaking (in separate sheet) to this effect.	Complied the condition & furnished the Undertaking as annexure XVI.

30	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/)	Shall be done by the State Forest Deptt. after receipt of compliance report from the User Agency.	-
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This is for necessary compliance of the condition and for procedural requirement.

Enclo- Annexure- I to XVI



(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

Copy to:

1. Executive Director (P), NHIDCL, RO-Aizawl- For information.
2. Office Copy

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-I

Dated: 21th December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is to state that the State Govt. shall charge the Net Present Value (NPA) for the 0.78 ha forest area to be diverted under the proposal from the User Agency as per the judgement of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 & 09.05.2008 in IA No.5-2/2006-FC dated 03.10.2006 No.5-3/2007-FC dated 05.02.2009.

In case of additional amount of NPA of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee shall be charged by the State Govt. from the User Agency.

In view of the above, it is assured/ committed that in case of any deviation of amount, User Agency shall pay to the State Govt. as per required procedure.

This is for necessary compliance of the condition and for procedural requirement.



(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-II

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is to be stated that the boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.

In view of the above, it is assured/ committed that, the User Agency as per the directions of DFO, Lunglei shall demarcate the boundary of the diverted forest land on ground at the project cost as per required procedure.

This is for necessary compliance of the condition and for procedural requirement.


(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-III

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is to be stated that the expenditure like boundary walls, stone pillars, and demarcation charges cost of damage of trees, the fund on these accounts should be deposited with DFO concerned.

In view of the above, it is assured/ committed that, the User Agency shall deposit the expenditure as per required procedure in consultation with DFO, Lunglei, as per required procedure.

This is for necessary compliance of the condition and for procedural requirement.



(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-IV

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve
Forest area by NHIDCL

UNDERTAKING CERTIFICATE

It is assured that in consultation with DFO, Lunglei, User Agency shall restrict the felling of trees to minimum number in the diverted forest land and trees shall be felled under strict supervision/ guidance of State Forest Department and the cost of the felling trees shall be borne & deposited by the User Agency with the State Forest Department.

This is for necessary compliance of the condition and for procedural requirement.


(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-V

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that in consultation with concerned DFO, Lunglei, the User Agency shall raise strip plantation on both sides and central verge of the road as per IRC norms as stated for taking necessary action in this regard.

This is for necessary compliance of the condition and for procedural requirement.



(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-VI

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve
Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that User Agency, will erect Speed regulating signages along the road at regular intervals in the Protected Areas/Forests Areas & it will be taken necessary action in this regard.

This is for necessary compliance of the condition and for procedural requirement.



(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-VII

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve
Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that User Agency shall provide suitable under/over pass in Protected Areas /Forest Area, as per recommendations of CWLW /NBWL /REC.

It will be taken necessary action in this regard in consultation with CWLW, Mizoram

This is for necessary compliance of the condition and for procedural requirement.


(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-VIII

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve
Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that User Agency shall strictly follow the condition and the lay out plan of the proposal shall not be changed without the prior approval of the Central Government. Necessary action will be taken in this regard.

This is for necessary compliance of the condition and for procedural requirement.


(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-IX

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve
Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that User Agency shall strictly follow the condition and there shall not be established any labour camp on the forest land.

This is for necessary compliance of the condition and for procedural requirement.



(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-X

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve
Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that sufficient quantity of firewood, preferable 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. It will be taken necessary action in this regard in consultation with DFO, Lunglei.

This is for necessary compliance of the condition and for procedural requirement.


(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-XI

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve
Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that the boundary of the diverted forest land shall be suitably demarcated on the ground at the project cost, as per the directions of the concerned Divisional Forest Officer. It will be taken necessary action in this regard in consultation with DFO, Lunglei.

This is for necessary compliance of the condition and for procedural requirement.


(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-XII

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that no additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work by the User Agency. It will be taken necessary action in this regard in consultation with DFO, Lunglei.

This is for necessary compliance of the condition and for procedural requirement.


(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-XIII

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve
Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that the forest land proposed to be diverted 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 without prior approval of Govt. of India. It will be taken necessary action in this regard.

This is for necessary compliance of the condition and for procedural requirement.


(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-XIV

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that the User Agency will obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand / boulder is to be extracted from forest land, if necessary. It will be taken required action in this regard as pursuant to mandatory regulations.

This is for necessary compliance of the condition and for procedural requirement.


(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-XV

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve
Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that the violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per MoEF & CC Guideline F.No.11-42/2017-FC dated 29/01/2018.

It will be taken required action for its amenability in this regard.

This is for necessary compliance of the condition and for procedural requirement.


(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei

No. 303/NHIDCL/PMU-Lunglei/Gen Corr/

Date: 21.12.2020

Annexure-XVI

Dated: 21st December 2020

For Compliance of imposed Conditions by MoEFCC, Regional Office regarding Addition Reserve
Forest area by NHIDCL

UNDERTAKING CERTIFICATE

This is assured that any other conditions that the North Eastern Regional Office, Ministry of Environment, Forests & Climate Change may be stipulated from the time in the interest of conservation, protection and development of forests & Wildlife.

It will be taken required action for its amenability in this regard.

This is for necessary compliance of the condition and for procedural requirement.


(Pradeep Gairola)
General Manager (Project)
NHIDCL, PMU-Lunglei