

1. Government of Manipur vide their letter dated 13th June 2014 submitted a fresh proposal to obtain prior approval of the Central Government, in terms of the Section-2 of the Forest (Conservation) Act, 1980 for diversion of 1,005.055 hectares of forest land for construction of 111 Km long Jiribam-Tupul-Imphal Railways line by North East Frontier Railways.
2. Details indicated in the proposal submitted by the Government of Manipur are as below:

FACT SHEET

1.	Name of the Proposal	Diversion of 1,005.055 hectares of forest land for construction of 111 Km long Jiribam-Tupul-Imphal Railways line by North East Frontier Railways
2	Location:	
	State	Manipur
	District	Tamenglong
3.	Particular of Forests	
(i)	Name of Forest Division	Jiribam Forest Division, Uchathol; Western Forest Division, Tamenglong; Northern Forest Division, Kangpokpi
(ii)	Area of Forest land for Diversion	1,005.055 hectares
iii	Legal Status of Forest land	Jiribam Forest Division, Uchathol Reserved forest: 15.710 hectares Unclassed Forest: 290.918 hectares Total: 306.691 hectares Western Forest Division, Tamenglong Unclassed Forest: 687.403 hectares Northern Forest Division, Kangpokpi Reserved forest: 3.425 hectares Unclassed Forest: 7.536 hectares Total: 10.961 hectares

iv	Density of Vegetation	<p>Jiribam Forest Division, Uchathol</p> <p>Scrub: 3.548 hectares; Open Forest -245.045 hectares; Medium Dense Forest – 58.098 hectares</p> <p>Western Forest Division, Tamenglong</p> <p>Scrub: 56.324 hectares; Open Forest -475.875 hectares; Medium Dense Forest – 155.234 hectares</p> <p>Northern Forest Division, Kangpokpi</p> <p>Scrub: 8.321 hectares; Open Forest -1.640 hectares; Medium Dense Forest – 1.000 hectares</p>
v	Species-wise and diameter class wise enumeration of trees	<p>The area consists of mostly Mixed <i>Moist Deciduous Forests</i> and the vegetation consists of species <i>Duabanga sonneratoides</i> , <i>Cedrella toona</i>, <i>Terminalia myriocarpa</i>, <i>Gmelina arborea</i>, <i>Tectona grandis</i>, etc and bamboos.</p> <p>Number of trees to be felled of girth below 60cm:- 72,742 nos</p> <p>Number of trees to be felled of girth above 60cm:- 46,958 nos</p>
4.	Vulnerability of area to vegetation	The proposed construction of railway line/ area at some points are susceptible to erosion
5	Approximate distance of proposed site for diversion from boundary of forest	The proposed railways line will pass through Kaiphundai RF, Kangchup RF and unclasped forest of Jiribam, Western and Northern Forest Divisions. It is about 25 km from laimaton RF and 6 Km from Kangchup RF.
6.	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (if so, the details of the area the comments of the Chief	No.

	Wildlife Warden to be annexed)	
7.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	No.
8.	Whether any protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No.
9.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project. If no, recommended area item-wise with details of alternatives examined.	The proposed forest land is unavoidable and barest minimum.
10.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still under progress.	Yes. The user agency has started tunnelling works and construction of chainage station over forest land measuring about 19.20 hecatres under Western Division, Tamenglong and 11.83 hecatres under Jiribam Forest Division, Uchathol. This office has written several letters to the Railway Authority to hold the ongoing construction works but paid no heed. Hence, Penal compensatory Afforestation for an area of 38.40 ha. (double of 19.20 ha.) under Western Forest Division, Tamenglong and 23.660 hecatres (double of 11.83 ha.) under Jiribam Forest Division, Uchathol is proposed.
11.	Details of Compensatory	The forest land to be diverted for the above project is

	Afforestation Scheme:	1005.055 ha and due to non- availability of non-forest land, degraded forest land equivalent to double of the area to be diverted has been selected for compensatory afforestation with financial outlay of Rs. 1965.18 lakh. The technical and administrative approval to the CA scheme indication physical and financial target prepared by Divisional Forest Officer, Jiribam, Western and Northern Forest Division also enclosed as E-14. Map showing the area identified for CA is also enclosed.
12.	Recommendation	
	DFO	The proposed construction of New Broad Gauge Railway Line from Jiribam -Tupul -Imphal by N.F. Railway will facilitate long distance travel and transport of bulky goods which are not easily transported through motor vehicles. It will also help in industrialization process of the state by easy transportation of heavy machineries, coal, raw materials etc. at a cheaper rate. Transportation of goods from one place to another will be quicker and easier at the time of emergencies, natural calamities etc. Considering the advantages to be accrued from the project , the proposal is recommended for obtaining Forest Clearance from the Ministry of Environment & Forest, proposal is recommended for obtaining Forest Clearance from the Ministry of Environment & Forest, Govt. of India u/s 2 (ii) of the Forest Conservation Act, 1980 for diversion of 1005.055 ha . forest land.
	CF	Being a National project for Rail connectivity to the State, it is recommended for consideration on priority.
	Nodal Officer, FC Act, 1980	The comments made by the Conservator of Forests, Western Circle and Divisional Forest Officer, Western Forest Division on examination of the fresh revised proposal for diversion of 1005.055 hectares forest land for construction of 111 Km long Jiribam - Tupul-Imphal Railway submitted by the N.F.

	Railway are acceptable. The revised proposal for diversion of 1005.055 hectares forest land for construction of 111 Km long Jiribam –Tupul-Imphal Railway submitted by the N.F. Railway being bare minimum on need based and for the benefit of the public is recommended for according approval/ clearance by the Central Government under FCA 1980.
State Govt.	Recommended

3. Government of Manipur submitted following additional information in their said letter dated 13th June 2014:

- (i) The proposed project is site specific project and there is no other site where the work can be taken up in order to achieve the objective. The Forest area to be diverted falls within the forest area of Jiribam, Western and Northern Forest Division in Manipur.
- (ii) The total forest land involved in project is 1005.5005 ha which classified and distributed as follows:

Class	Jiribam (in ha)	Western (in ha)	Northern (in ha)	Total (in ha)
R.F.	15.710		3.425	19.135
Unclassed F.	290.981	687.403	7.536	985.920
Total	306.691	687.403	10.961	1005.055

(iii) And this is out of the forest land in the State of Manipur as follows:

Sl. no.	Type of Forest	Area (in Sq. Km)
1	R.F.	1466.60
2	R.F.	4171.61
3	Unclassed Forest	11779.79
Total		17418.00

(iv) The User Agency has furnished the following maps duly countersigned by the Divisional Forest Officer, Jiribam, Western and Northern Forest Division:

- (a) Map showing the location of proposed project in the scale 1:50,000 enclosed as E-4

- (b) Forest cover map in the scale 1:50,000 enclosed as E-5
- (c) Map showing proposed site for compensatory afforestation enclosed as E-34
- (v) The Forest area proposed for diversion is situated in Jiribam, Western and Northern Forest Division (in Imphal East, Tamenglong and senapati District respectively) in Manipur State. The proposed project shall affect 1,19,700 Nos. of tress. The details of species-wise and girth class wise enumeration of tress is enclosed as E-10. The forest type is Sub-Himalayan Moist Deciduous forest. The crown density of the area proposed for diversion is below 45% for moderately dense to open forests and assessed Eco- class of the forest land is Eco-class-I.
- (vi) The area does not form a part of National Park/Sanctuary or Biosphere Reserved, Reserved sample or preservation plot. The Forest type is Sub-Himalaya Moist Mixed Deciduous. The main floral species found are *Artocarpus chaplasi*, *Terminalia myriocarpa*, *Toona ciliate*, *Schima wallichii*, *Litsea spp.*, *Albizia lebbec*, *Juglans regia*, *Alnus nepalensis*, *Castanopsis spp*, *Bauhinia variegata*, etc., while faunal species in the area are Barking deer, Porcupine, Snake, Squirrel, Jungle Pheasant, etc.
- (i) The forest land to be diverted for the above project is 1005.055 ha and due to non-availability of non-forest land, degraded forest land equivalent to double of the area to be diverted has been selected for compensatory afforestation with financial outlay of Rs. 1965.18 lakh. The technical and administrative approval to the CA scheme indication physical and financial target prepared by Divisional Forest Officer, Jiribam, Western and Northern Forest Division also enclosed as E-14. Map showing the area identified for CA is also enclosed.
- (ii) As per field report furnished by the DFO, Western Forest Division, Tamenglong a total number of 23 (twenty three) houses at Khumji village will be affected due to the project.
- (iii) The Environmental clearance is not required as per EIA Notification dated 14.09.2006
- (iv) Cost benefit analysis for the project is calculated and placed as 1:1.069 and enclosed.
- (v) There has been violation of Forest (Conservation) Act, 1980 by the User Agency and as such Penal Compensatory Afforestation has been drawn up accordingly.
- (vi) The concerned Officers including the Pr. Chief Conservator of Forests, Government of Manipur and the Nodal Officer, FCA recommended the proposal.

None of the assessment officers has provided any adverse comments on the proposal and it has been suitably recommended upon by senior officers. The proposed diversion is not likely to affect the habitat of any endemic, threatened species of flora or fauna. There will be insignificant effect on the water body of the area. The general effect on forest eco-system and biodiversity will also be insignificant because of maximum land use proposed being tunnelling. The project is not likely to adversely affect timber, firewood, MFP supply to rural masses.

- (vii) The project benefit cannot be ascertained in terms of monetary benefits. The proposed railway line will bring about overall socio-economic development of the State. The project is a National Project and is considered to be paramount importance to the State.
4. Government of Manipur in their said letter dated 13th June 2014 further informed that as intimated by the User Agency vide letter No. W/207/CON/J-I/Forests dated 06.06.2014 (copy enclosed) the earlier proposal for diversion of 491.67 hectares of forest land for construction of New Broad Gauge Railway Line from Jiribam to Imphal as part of a National project for railway connectivity to the State of Manipur submitted by the State Government vide letter No.55/17/2011-For dated 25.06.2012 stands withdrawn.
 5. Forest Land proposed to be diverted has been inspected by the Regional Office (North Eastern Zone), Shillong. Additional information indicated in the site inspection report received from the Regional Office (North Eastern Zone), Shillong vide their letter dated 10th September 2014 are as below:
 - (i) A site inspection in regard for the earlier proposal for the diversion of 491.67 ha was carried out on 10.10.2012 by this office and it was observed that the Northern Frontier Railway without any forest clearance from the central Government under FC Act 1980 has started laying of railway tracks and construction of tunnels. The report on violation of the FC, Act 1980 by the Northern Railways Frontier was sent to the Ministry vide this office letter Dated.30.10.2012 and on the basis of the site inspection report of Regional Office the State Government was requested to provide certain information/documents to the Ministry vide letter NO.8-56/2012-FC Dated 12.02.2013. On the basis of the Ministry's letter the PCCF, Government of Manipur has communicated to the North East Frontier Railways to provide the necessary information /clarification.

- (ii) The issue relating to the construction of 111 km long Jiribam-Tupul -Imphal Railway line by North-East Frontier Railway was discussed during the tour of the Parliament Estimate Committee at Imphal which was held on 30.09.2013 at Imphal. The Addl. PCCF, Central has apprised the Hon'ble Member of Parliament regarding the status of forest diversion of Jiribam-Tupul Imphal.
- (iii) The State Government without providing the information to the Ministry NO.8-56/2012-FC Dated 12.02.2013 submitted a new proposal for diversion of 1005.055 ha of forest land for construction of 111 km long Jiribam-Tupul-Imphal Railway line by North-East Frontier Railway. This proposal includes the 491.67 ha of forest land for construction of new broad Gauge railway line from Jiribam to Imphal. The State Government while submitting the revised proposal have not requested the Ministry to cancel/withdraw the earlier proposal of 491.67 ha of forest land.
- (iv) In view of the seriousness of the violation, the Regional Office vide letter No. 8-56/2012-FC/959-61 Dated 10.07.2014 had requested the State Government that the report on the extent of the violation under FC Act, 1980 made by the North Frontier Railway is to be submitted by Forest Department Official not below the rank of Chief Conservator of Forests. The State Government submitted the report of the site inspection carried out by the Chief Conservator of Forests (Territorial - 1) where in an area of 50 ha of forest land was reported as violation under FC Act by the Northern Frontier Railways.
- (v) A team of officers from Regional Office carried out a site inspection along with the State Government Officials from 19th Aug, 2014 to 21st Aug, 2014. The area of violation due to the construction of railway line by the North East Frontier Railway as inspected by the Officials of the Regional Office, MoEF, Shillong and the State Government are as given below:
 - (a) Total area of violation in 19 tunnels : 21.00 ha
 - (b) Total area of violation in tracks and stations :36.16 ha
 - (c) Area of violation in 5 tunnels :3.35 ha

- (d) Total area of violation in Dholakal station: 10.00 ha.
- (vi) Thus, the sum total of all area (a+b+c+d above) is 70.51 ha of violation as on the date of site inspection.
- (vii) The inspecting officers found out that the construction works by the Northern Frontier Railway was continuing even during the days of the site inspection. Therefore the area of violation cannot be restricted only 70.51 ha but it may be more. To assess the factual assessment on the extension of violation the state Government should immediately stop all the works till final approval obtained under FC Act.
- (viii) This proposal is for the construction of the Broad Gauge Railway Link to provide Rail connectivity to the capital town Imphal of Manipur State being executed by the Northeast Frontier Railway. This proposed Rail link is about 111km in length starting from existing Jiribam station of N.F. Railway in Manipur. It consists of phase I, Railway line between Jiribam (at Km 0/000) to Tupul (at km 98/080) in which construction has already started in different stages of completion. Phase II is for the line beyond Tupul up to Imphal for which land acquisition is under process.
- (ix) This Line passes through difficult hilly terrain, with heavy rainfall and security constraints due to insurgency. These difficulties are compounded by the fact that this stretch lacks basic infrastructure such as, electricity, telecommunication and potable water. However, as decided by Govt. Of India and vision 2020 of Indian Railways, all state capitals are to be connected with Rail link.
- (x) The State of Manipur occupies an important strategic position in the country from economic, cultural and military considerations. However, this region remains cut- off to some extent for want of rail route connectivity with rest of the country. There is large-scale insurgency in this region, which is cause for tremendous tension in the state and has hampered infrastructure, industrial and economic development in the state. The state shares its eastern border with Myanmar. In view of its strategic importance, the state needs an efficient and reliable transportation infrastructure.

- (xi) The Railway line between Jiribam and Imphal is meant to provide all weather transportation facility that will not be affected by the vagaries of weather.
- (xii) This proposal has been submitted earlier for this purpose for an area of 491.67 ha and this office has conducted the Site inspection and reported violation by the User Agency to the Ministry. Regional Office has requested the State Government to get the Site Inspection of the latest violation by an officer not below the rank of the Chief Conservator of Forests. The report from the CCF (T) as forwarded by the State Government has reported violation and the same has been highlighted in para 9 of this report. Though no concrete action has been taken for the violation, the site inspection for this proposal was conducted on the 19th, 20th and 21st of August 2014, starting from Tupul towards Jiribam. The stretch from Jiribam to Tupui has already been started while the second stretch from Tupul to Imphal is yet to be started, as informed by the local officers and the User Agency.
- (xiii) During the Inspection there was incessant rain, in which some of the areas were not accessible due to surging rivers particularly, the Tupul Station Yard.
- (xiv) The total forest land involved in the project is 1005.055 ha which classified and distribute as follows:

Class	Jiribam (in ha)	Western (in ha)	Northern (in ha)	Total (in ha)
R.F	15.710		3.425	19.135
Unclassed Forest	290.981	687.403	7.536	985.920
Total	306.691	687.403	10.961	1005.055

- (xv) Out of the total 1506.364 ha area required for the project, an area of 331.321 ha is Village habitation, and 170.5 ha is Patta land and 1005.05 ha is forest land. The item-wise break-up of the land of 1005.05 ha proposed is as follows:

- (a) Forest land for Tunnels = 377.76 ha
- (b) Forest land for Tract and Bridges = 338.287 ha

(c) Forest land for Station Yards etc = 288.90 ha
Total area under forests =1005.05 ha

- (xvi) The proposal does include construction of station yards,
- (xvii) Cost of the project for phase I from Jiribam up to the Tupul is estimated as Rs. 3056.85 Crores and Tupul-Imphal is Rs. 1396.65 crores.
- (xviii) Whether forest area proposed for diversion is important from the wildlife point of view or not: The area is in good forest but the presence of wildlife is not much reported in the area.
- (xix) The area proposed for CA could not be visited due to paucity of time. However, as per document submitted by the State Government, the officers of the State Forest Department certified that the area is suitable from plantation and management point of view.
- (xx) Nothing is mentioned about the proposed CA being important from religious and archaeological point of view.
- (xxi) The land proposed for CA is in three Divisions namely, Western Forest Division, Tamenglong, Northern Forest Division and Jiribam Forest Division, Jiribam. The patches are compact blocks and scattered due to the extent of the land to be afforested.
- (xxii) Details of degraded forest land identified for Compensatory Afforestation under Western Forest Division, Tamenglong; Northern Forest Division, Kangokpi and Jiribam Forest Division.

Name of Division: Western Forest Division, No of Patches: 10 Total Area: 1413.206

Size of patch	Location	Status of land for C.A.
100 ha	Thingou	Degraded forest
200 ha	Rengpang	Degraded forest
140 ha	Khongsang Khullen	Degraded forest
160 ha	Lungchln	Degraded forest
124.806	Khumji	Degraded forest

ha		
38.40 ha	Taobam	Degraded forest
200 ha	Khongsang Khunou	Degraded forest
200 ha	Charol- Chakotlong	Degraded forest
150 ha	Awangkhum-I	Degraded forest
100 ha	Awangkhum- II	Degraded forest

Name of Division: Northern Forest Division, No of Patches: 1 Total Area: 21.92

Size of patch	Location	Status of land for C.A.
21.92 ha	Saheibung	Degraded forest

Name of Division: Northern Forest Division, No of Patches: 6 Total Area: 637.92

Size of patch	Location	Status of land for C.A.
200 ha	Dholakhal	
100 ha	Chota Bekara	Degraded forest
50 ha	Jarolpokpi	Degraded forest
200 ha	Doltang	
63.382 ha	Oinamlong	Degraded forest
23.660 ha	Doltang	Degraded forest

(xxiii) The total Financial Outlay for CA is pegged at Rs. **1965.18 lakhs**

(xxiv) This proposal was earlier submitted for an area of 491.67 ha by the same User Agency, North Eastern Frontier Railway, in June 2012 and accordingly, site inspection was carried out by this office through the CCF(C) in October 2012. The Site Inspection Report has found that there were violations in the project wherein the User Agency has already started the work without the prior approval of the Central Government. The Regional Office has since requested the State

Government to submit the violation report on the project. The PCCF, Government of Manipur vide letter No. 7/58/2011/Forests dated 25.03.2013 in response to the Ministry's letter NO. F.No. 8-56/2012-FC date 12.02.2013 has requested the Northern Frontier Railways to provide the detailed report of violation for which the report is awaited till date.

- (xxv) The State Government has revised the above proposal and submitted afresh for an increased area of 1005.05 ha which when scrutinised; the proposal was for the same length of the railway track but with an increase in area of about 2.5 times. This increase has been attributed to the identification of more area under forests and the requirement of the User Agency for more areas at some intervals/ stretches of the tract.
- (xxvi) After submission of the proposal by the State Government, this office has requested the State to provide the latest status of violation and the State in response has submitted the Inspection Report of the CCF(T) vide their letter No. 55/17/2011.For. dated 06.08.2014 in which the Officer has recorded violations as follows:
- (a) Estimated forest area damaged for starting the work of a tunnel (i.e approach road for bringing in machines, tools, labour shed etc.) is 0.80 ha.
 - (b) Estimated forest area damaged for starting work in 24 tunnels (0.80 ha x 24 nos) = 19.20 ha
 - (c) Estimated Forest area damaged for construction of station yard and track at Noney (Nungteck), Langkhong, Awangkhol, Khongshang and Dholakhal area =4ha + 3ha +4ha +5ha+10 ha =28ha
 - (d) Estimated forest area damaged far construction of Railway Bridge at Noney (Nungtek) =2.0 Ha
 - (e) Total Forest area damaged in violation of Forest (Conservation) Act, 1980 =50.0 ha
- (xvii) With the above background, the Site Inspection was conducted on the 19th, 20th and 21st of August 2014, and the site visits were concentrated mostly on the

tunnels as the major works of violations were on the construction of the Tunnels which were being carried out in full swing as seen even at the time of the Site Inspection. The other areas of violations are on spots where the User Agency has proposed for the establishment of Stock yards/ stations where massive cuttings of the hills area seen. Only 19 out of the 24 tunnels in which is being carried out could be visited. Also, not all the Yards/ stations (like Dholakal and Tupul) already in progress could be visited due to shortage of time and inaccessibility. The details of the inspection and calculation of area on site is given in Table-I and table-II and abstract is given as below:

- (a) Total Area of Violation in 19 tunnels inspected: 21.00 ha
- (b) Total Area of Violation in tracts and stations inspected :36.16 ha
- (c) As the whole track could not be visited due to various reasons mentioned above rest of the area not visited by the Inspection team but informed by the State Government based on inspection by the CCF(T):
- (d) Area of Violation in 5 tunnels uninspected = 3.35 ha
- (e) Total Area of Violation in Dholakal station uninspected: 10.00 ha

Total area of violation is 70.51 ha

(xviii) Since the work for the tunnels, railway tract and stations is found to be carrying on at the time of the Inspection and is believed to be going on, this area of violation cannot be taken as final. A real assessment of the damage and the extent of violation can only be made if the work is stopped.

- (xix) The proposal when scrutinised does not show any displacement of persons.
- (xx) There is no Reclamation Plan being submitted by the State Government along with the proposal. However, the Muck Disposal Plan submitted by the User Agency includes among others, structures for the rehabilitation of the Muck Dumping sites like Retaining Walls, Turfing, Compaction and creation of Sausage Crates with cost of Rs. 14,98,68,148.00.

- (xxi) The proposed route appears to be the shortest and only direct route from any existing railway junction for connecting the State Capital Imphal with railways. Since 76% of area in the State is under forests, the use of forest land is not avoidable.
- (xxii) This project is a national project which is going to benefit the populations along the tract route and the state of Manipur as a whole.
- (xxiii) The state of Manipur has a population of 25,70,390 as per 2011 census of which total population of SC/ST is 8,38,686 i.e. 32% of the total population. The entire population is expected to benefit greatly from the Project in terms of work opportunities and general development.
- (xxiv) The DFOs have not reported any socio-cultural religious value nor any sacred grove or very old growth of trees/ forests existing in the area nor any such thing was seen during Inspection.
- (xxv) The area being diverted is no doubt an area of important biodiversity though no particular spp of flora or fauna of importance was being reported or recorded in any of the documents /reports from the State Government. But since the substantial part of the length of the rail tract in the hills is being done through the means of tunnels, the impact on the eco-system is minimal.
- (xxvii) As mentioned in the proposal papers, there are no Protected Areas within the 10 km radius of the proposed area.
- (xxviii) Though the Project has been submitted initially for an area of 491.67 ha only, the increase in the area to 1005.05 ha could not be fully explained by the User Agency or the State Government.
- (xxix) The report of the CCF(T) has reported violation in 49.2 ha till the time of his Inspection on July 2014. This area has since increased as the User Agency has been continuing its works in pendency of clearance and in violation of the FC Act.
- (xxx) The Project proponents and the State Government/ Forest Department have been continuing with the execution of the project till date. Even at the time of

Inspection the works are being carried out, like Tunnel digging, giving finishing works to the tunnel Interior, etc. though cutting is not much seen because of the rains. **Hence, this report is inconclusive as the exact area of violation and the extent of damage will not be final and cannot be fully assessed unless work is stopped.**

- (xxxix) The extent of damage in terms of tunnels and tracts can be assessed properly to some precision. However it is seen that there are many tunnels/ sites where approach roads are made in forests and dumping is done rampantly. On enquiring, the User Agency claims that they have just widened the existing roads which cannot be verified. Also the dumping in areas along the slopes and in depressions is rampant and cannot be fully assessed within the short time-span.
- (xxxix) The dumping of the slope cuttings and from the extracted debris from tunnels are seen everywhere. While an estimation of the area being destroyed to such dumping has been done to some extent in Table-II, this extent of the area and the exact estimation for all the tunnels is required to be done at a later stage, as this cannot be done, at present, as the dumping is going on.
- (xxxix) Though the area of violation is shown as 70.51 ha only, the extent of violation is much larger as the work of Tupul Station Yard could not be done due to inaccessibility caused by the surging waters of the Ezai River. Though we have reached the bank of the river and trucks were called for ferrying the team, but they have advised against going to the place. However as seen from the road side along the National Highway, there are huge cuttings for the construction of this Yard.
- (xxxix) Since the work is being continued and may be finished even before the approval of the Central Government, the penalty with regards to this violation cannot be based on what has been violated but rather on what is likely to be violated till such time the approval, if any, comes.
- (xxxix) **The forest area involved in this railway track is (i) between Jiribam and Khongsang is 509.054, (ii) between Khongsang to Tupul is 438.017 ha and (iii) between Tupul to Imphal is 57.979 ha totalling 1005.05 ha.**

(xxxvi) **The Northern Frontier Railways is still continuing with the construction works. Hence it is impossible to assess the actual area of violation unless and until the State Government stops the illegal construction on the forest land. Since the Northern Frontier Railway is wilfully ignoring the Forest (Conservation) Act 1980, and Honourable Supreme Court Order in WP (C) 202 of 1995 dated 12.12.1996, it is appropriate that the Ministry may impose a Penal Compensatory Afforestation of 20(twenty) times the area already violated as on 21.08.2014 i.e., $20 \times 70.51 = 1410.20$ ha say 1411 ha.**

(xxxvii) The Ministry, New Delhi, may ask the State Government to give information on the action taken by it to prevent the large-scale violation as per its letter No. 5-5/86-FC dated 07/12/1999 and this Office letter No. 2-1-5/2004/RONE/Vol-11/2181-02 dated 28/12/2006 (copy enclosed). As per the FC Act 1980, and Honourable Supreme Court Order in WP (C) 202 of 1995 dated 12.12.1996, the Ministry may ask the State Government to stop all construction works by the Northern Frontier Railway till Final Approval is granted by the Central Government.

6. The proposal along with the Site Inspection Report received from the Regional Office (North Eastern Zone), Shillong may be placed before the Forest Advisory Committee for their examination and appropriate recommendations.
