



सत्यमेव जयते

Government of India  
Ministry of Environment, Forest & Climate Change  
North Eastern Regional Office  
Law-U-Sib, Lumbatngen  
Near MTC Workshop, Shillong-793021  
Tel(0364)-253-7609,7340/7395/7278.  
Fax No(0364)2536041/2536983.  
Email:- ro.nez.shil@gmail.com & moefro.shillong@gov.in

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भारत सरकार  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
पूर्वोत्तर क्षेत्रीय कार्यालय, शिलांग  
लॉड सीब लुम्बतंगेन  
एम् टी सी के पास, शिलांग -७९३०२१  
टेली(0364) 253-7609,7340/7395/7278  
फैक्स (0364)-2536041/2536983  
ईमेल: ro.nez.shil@gmail.com/moefro.shillong@gov.in

No. 3-MZ C 067/2016-SHI 998-99

12<sup>th</sup> June, 2018

सेवा में,

प्रधान सचिव/ Principal Secretary,

पर्यावरण वन और जलवायु परिवर्तन विभाग /Environment, Forest & Climate Change Department,

मिजोरम सरकार/ Govt of Mizoram,

आइजोल / Aizawl- 796001

Sub: Proposal for diversion of 4.98 ha of forest land for improvement and upgradation of Tlabung -Kawrpuchhuah Road.

Sir,

This has got reference to the State Govt letter No. G. 20015/56/2014-FST dated Aizawl the 15<sup>th</sup> December, 2016 and No. B.23013/62/2016-FC/PCCF/245 dated 16.05.2018 of on the subject mentioned above, seeking prior approval of the Central Government in accordance with Section 2 of the FCA, 1980.

After careful consideration of the proposal of the State Government, I am directed to inform that the Central Government hereby conveys its "In Principle Approval" for diversion of 22.80 ha of forest land for diversion of 4.98 ha of forest land for improvement and upgradation of Tlabung -Kawrpuchhuah Road subject to the following conditions:

- (i) The User agency shall transfer the cost of compensatory afforestation as estimated by State Forest Department over non forest land of 4.98 ha of degraded forest land located at Sasawtlang, Darlawn Range of Darlawn Forest Division to Adhoc CAMPA through State Forest Department.
- (ii) The State Govt shall charge the Net Present Value of the forest land diverted under this proposal from the User Agency as per the Judgment of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No.566 in WP (C) No.202/1995 and as per the guideline issued by this Ministry vide letter No. 5-3/2001-FC dated 05.02.2009 in this regard.

- (iii) The User Agency shall furnish an undertaking to pay the additional amount of the Net Present Value (NPV) of the diverted forest land, if any, becoming due after finalization/revision of the same by Hon'ble Supreme Court of India.
- (iv) All the above funds received from the User Agency under the project shall be transferred to the Ad-hoc CAMPA Fund (CAF) in New SB Account No 520101263743639 of Corporation Bank, CGO Complex, Phase-I, Lodhi Road, New Delhi – 110 003.
- (v) The user agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department.
- (vi) User agency shall obtain the Environmental Clearance as per the provision of the Environment (Protection) Act, 1986, if required under the said Act.
- (vii) No labour camp shall be established on the forest land.
- (viii) Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of State Forest Department Forest.
- (ix) Transplanting of the important tree species affected by the project, wherever possible should be taken up by the concerned Divisional Forest Officer with the logistic support from the user agency.
- (x) Sufficient firewood, preferably 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.
- (xi) User agency shall raise strip plantation on both sides and central verge of the road.
- (xii) The User Agency shall demarcate the land proposed for diversion on the ground by erecting at least 4' high cement-concrete pillars duly numbered, forward and backward bearing and distance from pillar to pillar written on the pillars.
- (xiii) The forest land 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.
- (xiv) Lay out plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xv) The non-forest land should be transferred and mutated in favour of Forest Deptt and action taken as per Ministry's letter No. 8-84/2002-FC dated 3.02.2004.
- (xvi) The equivalent non-forest land identified for the compensatory afforestation transferred to the ownership of State Forest Department should be declared as Reserved/Protected Forests so that the plantation raised can be maintained permanently. The transfer must take prior to the commencement of the project.
- (xvii) State Govt shall furnish the current status of the remaining stretch of the road in respect of the original proposal for diversion of 22.80 ha.
- (xviii) State Govt shall pass an order for tree cutting and commencement of work of a linear project in forest land for a period of one year. However, one more year may be extended by the permission of Central Govt subject to submission of reasonable progress report from the State Govt as regards to the steps taken to comply with the remaining stipulated conditions mentioned above as per the Ministry letter F.No.11-306/2014-FC(pt.) dated 28.08.2015.

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- (xix) 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.

After receipt of the compliance report from the State Government on fulfillment 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 orders approving the diversion of forest land are issued by the Central Government.

भवदीय,




(आर. एल. सांगा)/R.L.Sanga

वन संरक्षक (केंद्रीय)/ Conservator of Forests

Copy to:

1. अतिरिक्त प्रधान मुख्य वन संरक्षक / Addl. Principal Chief Conservator of Forests & Nodal Officer(FCA) , पर्यावरण वन और जलवायु परिवर्तन विभाग/ Environment, Forest & Climate Change Department, मिजोरम सरकार/ Govt of Mizoram, आइजोल / Aizawl- 796001

 12/6/18

वन संरक्षक (केंद्रीय)/ Conservator of Forests

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