

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
 Jor Bagh Raod, Aliganj
 New Delhi – 110003

Dated: 7th June ,2023

To,

The Principal Secretary (Forests)

Government of Mizoram,

Aizawl.

Subject: Proposal for diversion of 63.441 ha Reserved forest land for the construction of National Institute of Technology under the Aizawl District of Mizoram State (Online Proposal No. FP/MZ/SCH/148602/2021).

Madam/Sir,

I am directed to refer to the Government of Mizoram's letter NoG.20015/61/2018-FST dated 03.02.2022 on the subject mentioned above seeking prior approval of the Central Government under Section-2 (ii) of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Advisory Committee, and its acceptance by the competent authority in this Ministry, ***In-principle/ Stage-I approval*** of the Central Government is hereby accorded for diversion of 63.441 ha Reserved forest land for the construction of National Institute of Technology under the Aizawl District of Mizoram State subject to fulfillment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged.
- ii. **Compensatory Afforestation:**
 - a. **The Compensatory Afforestation (CA) has been proposed over identified non- forest land (NFL) over an area of 64.25 ha. Since 53 ha. NFL identified for CA is medium Dense Forest (MDF) and cannot accommodate 1000 plants/ha, therefore balance seedlings shall be planted over degraded forest land (DFL) for which the DFL shall be identified in Mamit Forest Division or elsewhere in other districts/divisions in the State. The details of the DFL along with the site suitability certificate, approved CA scheme and KML files of the said area shall be submitted prior to Stage-II approval.**
 - b. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars, if required on the CA land, shall be deposited in advance with the Forest Department by the user agency. The CA will be maintained for 10 years. The scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years.


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- c. The non-forest land identified for CA shall be transferred and mutated in favour of the State Forest Department and subsequently notified by the State Government as RF under Section - 4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act before Stage-II approval. A copy of the final Notification shall be submitted along with the compliance of Stage-I approval.
- d. The KML files of diverted area and the CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage II approval.
- iii. The User Agency shall transfer the funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency in accordance with the MoEF&CC's guidelines dated 6.01.2022 read with guidelines dated 19.01.2022.
- iv. **The user agency shall deposit penal NPV which will be 5 times of the NPV for the area under violation (63.441 ha) and now proposed to be diverted.**
- v. **The penal Compensatory Afforestation over degraded forest land (DFL), five times of the forest area under violation (63.441 ha) and now proposed to be diverted shall be raised at the cost of the user agency.**
- vi. **The KML file submitted by the State Govt. does not match with the ground situation/broken up area visible in the satellite imagery. The state Government shall revisit and submit the correct KML file keeping in view the field situation.**
- vii. **The 18 ha area proposed to be developed as Green zone shall not be used for any construction activity in the future.**
- viii. **As far as possible, the construction should be done using eco-friendly materials and the campus be developed as a green campus to the best extent possible in order to maintain the micro-climate of the area.**
- ix. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- x. All the funds received from the user agency under the project shall be transferred/deposited in the account of National Authority only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other modes will not be accepted as compliance of the Stage-I clearance.
- xi. The complete compliance of the FRA, 2006 shall be ensured by the State Government.
- xii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- xiii. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- xiv. At the time of payment of the Net Present Value (NPV) at the present 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.
- xv. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- xvi. The forest land shall not be used for any purpose other than that specified in the project proposal. Thus, the State Govt. ensure that the forest land shall be used exclusively for the purpose of National Institute of Technology as per the plan approved from the competent authority. No commercial activity shall be allowed on forest land.
- xvii. The state Government will ensure complete compliance of Forest Rights Act 2006.
- xviii. No labour camp shall be established on the forest land and the User Agency shall


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- provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- xix. No damage to the flora and fauna of the adjoining area shall be caused.
 - xx. 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 regularly.
 - xxi. Any other condition that the concerned Integrated Regional Office of this Ministry may stipulate, with prior approval of competent authority, in the interest of conservation, protection and development of forests & wildlife.
 - xxii. 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.
 - xxiii. 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.

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,


03/06/23
(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Government of Mizoram, Aizawl.
2. The Regional Officer, Integrated Regional Office, Shillong.
3. The Nodal Officer (FCA), O/o PCCF, Forest Department, Government of Mizoram, Aizawl.
4. User Agency.
5. Monitoring Cell of FC Division, MoEF & CC, New Delhi.