



भारतसरकार
GOVERNMENT OF INDIA
एकीकृतक्षेत्रीयकार्यालय
INTEGRATED REGIONAL OFFICE
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
लॉउसीबलुम्बतंगेन/LAW-U-SIB, LUMBATNGEN,
शिलॉंग/SHILLONG-793021
TEL. 0364-2537278; FAX. 0364-2536041
E-mail: moefro.shillong@gov.in



F. No. 3-MN C 033/2022-SHI 3203-04

1st March, 2023

सेवामे,

अतिरिक्तप्रमुखसचिव / Addl. Chief Secretary,
वनऔरपर्यावरणविभाग/ Forest and Environment Department
मणिपुरकीसरकार / Government of Manipur,
इंफाल-Imphal – 795 001.

Sub : Proposal for diversion of 98.00 Ha of forest land for widening and improvement of Yaingangpokpi-Nagaland Road Section of NH-202 into two laning with paved shoulder of 0.000 km from Laikot to Finch corner 30.970 km in the State of Manipur by NHIDCL.

Sir,

This has got reference to Government of Manipur letter No. 27/63/2022-(For & Env't.)/768 dated 13.07.2022 on the subject, wherein prior approval of the Central Government for the diversion of 98.00 Ha of Forest Land for widening and improvement of Yaingangpokpi-Nagaland Road Section of NH-202 into two laning with paved shoulder of 0.000 km from Laikot to Finch corner 30.970 km in the State of Manipur was sought, in accordance with Section-2 of the Forest (Conservation) Act, 1980.

2. After examination of the proposal and on the basis of the recommendation of the Regional Empowered Committee (REC) in its meeting held on 30.11.2022 and additional information submitted by the State Govt vide letter No.27/63/2022/For & Env't dated 19.01.2023 and on receipt of **ex-post facto approval** from the Competent Authority, Ministry, New Delhi, the Central Government, MoEF&CC, the **In-principle / Stage-I ex-post facto approval** of the Central Government is hereby granted for diversion **98.00 Ha** of forest land for widening and improvement of Yaingangpokpi-Nagaland Road Section of NH-202 into two laning with paved shoulder of 0.000 km from Laikot to Finch corner 30.970 km by NHIDCL, subject to the following conditions:

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.
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;
3. The user agency shall transfer the cost of raising Avenue plantation on the road side in the account of CAMPA of the concerned State only through e-portal;
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.

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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 land for non-forestry purpose without prior approval of Government of India.
6. User agency responsible for violation shall be prosecuted under local Act of the State for unauthorized use of forest land without the permission of State authority.
7. 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;
8. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
9. The cost for boundary demarcation of the diversion forest land shall be deposited by the User Agency with the State Forest Department;
10. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;
11. Undertaking from the user agency to undertake special measures for prevention of landslide / erosion by biological or mechanical measures and stabilization of side slope to avoid soil erosion and landslides as per requirement and proposed in the Muck Dumping Plan.
12. Road side amenities such as marketing shed, bus shed, toilet etc., shall be provided.
13. Road side plantation of indigenous species with economic & ecological importance in consultation with the communities / JFMC may be undertaken with special attention by the User Agency.
14. Muck Dumping Plan to be made available to DFOs with instructions to ensure dumping only on dumping sites for each of the respective road widening/improvement and also contractors should be properly sensitized by the User Agency for proper muck dumping.
15. 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;
16. The KML files of the area to be diverted, the CA areas shall be uploaded on the e-Green watch portal with all requisite details before issuing work permission towards linear projects or submitting compliance report for seeking Stage-II approval, as the case may be;
17. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);

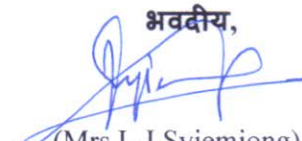
B: Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

1. Legal status of the diverted forest land shall remain unchanged;

2. The Compensatory Afforestation shall be raised and maintained by the Forest Department over **197.34** ha in 4 (four) patches i.e (i) 80 ha in Compartment No. 30, Khamasom Block, Ukhrul Forest Division (ii) 75 ha in Compartment No. 5, Ukhrul Forest Division, (iii) 26 ha in Compartment No. 3, Lamjong Block, Central Forest Division, Imphal East, and (iv) 16.34 ha in compartment No. P-11 & 12, Yairipok Block, Thoubal Forest Division in Thoubal District;
3. The overburden shall not be dumped outside the diverted land. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes;
4. The State Govt shall ensure that the user agency provide proper drainage of retaining / breast wall in steep slopes and stabilization of side slope to avoid soil erosion and landslides and provide for proper 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 work are started;
5. **User agency may raise strip plantation on both sides of the road as per the IRC norms as per the fund deposited by the User Agency;**
6. **Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas;**
7. **The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendation of CWLW / NBWL / FAC / REC, if applicable;**
8. 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;
9. No damage to the flora and fauna of the adjoining area shall be caused;
10. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
11. 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;
12. The User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable;
13. The layout plan of the proposal shall not be changed without prior approval of Central Government;
14. No labour camp shall be established on the forest land;
15. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
16. The boundary of the diversion forest land shall be suitably demarcated on ground at the project cost, as per the direction of the concerned Divisional Forest Officer;
17. Wherever possible and technically feasible, User Agency shall undertake afforestation measures along the road within the area diverted under this approval;
18. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution materials for execution of the project work;
19. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
20. The forest land shall not be used for any purpose other than that specified in the project proposal;
21. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
22. 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;
23. 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;

24. 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;
25. As per Ministry's letter No 11-30/96-FC(Pt) dt 14.9.2001, if the compliance of stipulated conditions is awaited from the State Govt for more than 5(five) years, the in-principle approval would be summarily be revoked considering that the user agency is no longer interested in the project;
3. 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 is granted by the Central Government.

This is issued with the approval of Deputy Director General of Forests (C).

भवदीय,

(Mrs.L.J.Syiemiong)

वनउपमहानिरीक्षक (केंद्रीय)/Deputy Inspector General of Forests (C)

Copy to:

1. प्रधानमुख्यवनसंरक्षक/ Principal Chief Conservator of Forests & HoFF, मणिपुरसरकार/
Government of Manipur, वनऔरपर्यावरणविभाग/ Forest & Environment Department,
इम्फाल / Imphal -795001.


वनउपमहानिरीक्षक (केंद्रीय)/Deputy Inspector General of Forests (C)

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