



सत्यमेव जयते

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



No. 3-MZ C 024/2022-SHI

2746-47

Dated: 16th December, 2022

To,

Principal Secretary,
Government of Mizoram,
Environment, Forests & Climate Change Department,
Aizawl-796001.

Sub: Diversion of 39.81 Ha of Forest Land for construction of 2-laning with hard shoulder configuration of NH 302 and NH54 (A) from Lunglei-Tlabung Section of NH-302 in the State of Mizoram Under 'Bharatmala Pariyojana' on EPC Mode by NHIDCL.

Sir,

This has got reference to Government of Mizoram letter No. G.20015/65/2022-FST dated 13.06.2022 on the subject, wherein prior approval of the Central Government for the diversion of 39.81 Ha of Forest Land for construction of 2-laning with hard shoulder configuration of NH 302 and NH54 (A) from Lunglei-Tlabung Section of NH-302 in the State of Mizoram was sought, in accordance with Section-2 of the Forest (Conservation) Act, 1980. After examination of the proposal and on the basis of the recommendation of the Regional Empowered Committee on 27.06.2022 and on receipt of **ex-post facto approval** from the Competent Authority, Ministry, New Delhi, the Central Government, MoEF&CC, IRO, Shillong accorded Stage-I approval vide letter No3-MZ C 024/2022-SHI/1651-652 dated 30.08.2022 subject to fulfillment of certain conditions.

In this connection and on the basis of the compliance report furnished by the State Government of Mizoram vide letter No. B.22015/67/2022-FST/ 278 dated 09.12.2022 and payment of compensatory levies through NEFT/RTGS Challan dated 17.11.2022 & 24.11.2022, the **Final approval** of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of **39.81 Ha** of Forest Land for construction of 2-laning with hard shoulder configuration of NH 302 and NH54 (A) from Lunglei-Tlabung Section of NH-302 in the State of Mizoram Under 'Bharatmala Pariyojana' on EPC Mode in favour of NHIDCL, subject to the following conditions:

1. Legal status of the forest land shall remain unchanged.
2. The Compensatory Afforestation shall be raised and maintained by the Forest Department over equivalent area diverted **i.e. 39.81 ha of non-forest land** identified by the State Govt at Khawbel, Serchhip Forest Range under Thenzawl Forest Division as per the funds deposited by the User Agency. As far as possible, mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
3. As per guidelines of MoEF (No. 8-84/2002-FC dt. 03.02.2004) the Non-Forest Land which has to be transferred and mutated in favour of State Forest Department shall be declared RF / PF under Section 4 & 20 or Section 29 of the Indian Forest Act, 1972 or under the relevant Section(s) of the local Forest Act, as the case may be. The Nodal Officer shall report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under relevant section of the State Forest Act as the case may be, to this office for information and record.

0/c

4. Since the proposal involves violation of Forest (Conservation) Act, 1980, the Action Taken Report, if required, for violation shall be submitted and acceptable by IRO, Shillong.
5. The KML files of the area to be diverted, the CA areas, the proposed SMC works, the WLMP area shall be uploaded on the e-Green watch portal with all requisite details.
6. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
7. The protection and regeneration of safety zone shall be maintained by the State Govt as per the fund deposited by the User Agency.
8. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector, if required.
9. **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.**
10. **Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas.**
11. **The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendation of CWLW / NBWL / FAC / REC, if applicable.**
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 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.
23. No damage to the flora and fauna of the adjoining area shall be caused.
24. 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;
25. The user agency shall explore the possibility of successful 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;
26. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF & CC Guideline F. No. 11-42/2017-FC dated 29/01/2018.
27. The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for removal, if any, of stone, river sand, river boulders in forest land.
28. 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;
29. 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;
30. This approval may be revoked, if, the above conditions of approval is not complied to the satisfaction of the Integrated Regional Office, Shillong.
31. Any other conditions as may be found appropriate in future for the betterment of environment & wildlife, may be imposed by Integrated Regional Office, Shillong.

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

Yours faithfully,


(Mrs. L. J. Syiemiong)

Deputy Inspector General of Forests (C)

Copy to:

1. Additional Principal Chief Conservator of Forests & Nodal Officer (FC), Govt. of Mizoram, Department of Environment, Forests & Climate Change Department, Aizawl.


Deputy Inspector General of Forests (C)

o/c