

**F. No. 8-38/2012 - FC**  
Government of India  
Ministry of Environment, Forests and Climate Change  
(FC Division)

\*\*\*

ParyavaranBhawan.  
CGO Complex, Lodhi Road,  
New Delhi - 110510  
**Dated: 23<sup>rd</sup> July, 2014**

To  
The Principal Secretary (Forests).  
Government of Mizoram.  
Aizawl.

**Sub: Diversion of 74.4882 ha of forest land for construction of railway line between Bairabi and Sairang in the favour of North East Frontier Railway in the State of Mizoram - regarding.**

Sir,

I am directed to refer to the State Government of Mizoram's letter no. G-20015/55/2012-FST dated 27<sup>th</sup> April 2012 and letter no. B.22013/47/2008-FC/PCCF dated 14<sup>th</sup> January 2013 on the above subject seeking prior approval of the Central Government. in accordance with Section-2 of the Forest (Conservation) Act, 1980. After careful examination of the proposal by the Forest Advisory Committee constituted under Section-3 of the said Act. 'in-principle' approval was granted vide this Ministry's letter of even number dated 26.07.2013 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the 'in-principle' approval and has requested the Central Government to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter no. B.22013/47/2013-FC/PCCF/59 dated 27.02.2014 and letter no. G.20015/55/2012-FST dated 4.06.2014. final approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 74.4882 ha of forest land for construction of railway line between Bairabi and Sairang in the favour of North East Frontier Railway in the State of Mizoram subject to the fulfillment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the degraded forest land, twice in extent to the forest land being diverted, shall be raised and maintained by the State Forest Department from the funds already provided by the user agency;
- (iii) 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 regarding realization NPV to be passed in Writ Petition (Civil) No. 202/1995;
- (iv) No labour camp shall be established on the forest land;
- (v) The User Agency shall 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;



- (vi) The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar:
- (vii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (viii) The forest land shall not be used for any purpose other than that specified in the proposal:
- (ix) 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:
- (x) No damage to the flora and fauna of the adjoining area shall be caused:
- (xi) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- (xii) Ex-situ conservation of endemic species of flora/fauna lost/disturbed in the process of execution of the project may be ensured.
- (xiii) The reclamation of quarry should be done under the supervision of the State Forest Department. The quarry shall be reclaimed and afforested completely before the project is closed.
- (xiv) The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
- (xv) The User agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.
- (xvi) The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.
- (xvii) The State Government shall ensure controlled speed limit if the trains passing through the forest portion to enable the trains drivers to react to the sudden appearance of the wild animals on the track.
- (xviii) The user agency shall ensure that muck generated during the project implementation is disposed of as per the muck disposal plan and no muck is disposed of in any of the streams or the rivers or on any forest land.
- (xix) No trees will be felled in the stretches of alignment where the track passes through tunnels.
- (xx) The Committee, constituted by the State Government vide their notification no. vide notification No.G.20015/55/2012-FST dated 30.1.2014, shall periodically visit the site during construction and submit six monthly report to the Regional Office of the Ministry. The State Government shall also take appropriate corrective/legal actions in accordance with the observations in the Reports.
- (xxi) The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Birds nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.



- (xxii) The user agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly.
- (xxiii) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife: and
- (xxiv) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

Yours faithfully,

  
(T.C. Nautiyal)

Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forest, Government of Mizoram, Aizawl.
2. The Chairman, Railway Board, Railway Board, Rail Bhavan, New Delhi-110001
3. The Addl. Principal Chief Conservator of Forest (Central), North-Eastern Regional Office, Shillong.
4. The Nodal Officer (FCA), Office of the PCCF, Government of Mizoram, Aizawl.
5. User Agency (Chief Engineer, Construction – III, SCL, North East Frontier Railway (Construction Organization, Silchar, Assam)
6. Monitoring cell, FC Division, MoEF, New Delhi.
7. Guard File.

  
(T.C. Nautiyal)

Assistant Inspector General of Forests