

SPEED-POST

**No.G.20015/2/2021 – FST/Vol-I
GOVERNMENT OF MIZORAM
ENVIRONMENT, FORESTS & CLIMATE CHANGE DEPARTMENT**

Dated Aizawl, the 6th February, 2023

To,

Dy. Inspector General of Forests (C),
Ministry of Environment, Forests & Climate Change
Integrated Regional Office,
Law-U-Sib, Lumbatngen,
Near MTC Workshop, Shillong-793021
Email : ro.nez.shil@gmail.com

Subj: *Proposal for diversion of 2.43278 ha of forest land for construction of bypass at Chhiahtlang & Serchhip (Package 1) on Aizawl – Tuipang section of NH-54 in the state of Mizoram – reg.*

Ref: 1. No.3-MZ B 024/2021-SHI/2684-85 dt.12.12.2022
2. No.G.20015/2/2021-FST/Vol-I/III dt.08.12.2022
3. No.3-MZ B 024/2021-SI/2896-97 dt.12.01.2023

Madam,

With reference to the subject and letter under reference No.1 mentioned above, I am directed to enclose herewith a copy of letter No.B.22019/20/2019-FC/PCCF/397 dt.20.01.2023 regarding Action Taken Report on the project proposal for diversion of 2.43278 ha of forest land for construction of bypass at Chhiahtlang & Serchhip (Package 1) on Aizawl – Tuipang section of NH-54 in the state of Mizoram, with a request to issue In-Principle Approval for the said project as working permission had already been issued vide letter under reference No.3.

Enclo: As stated.

Yours faithfully,

(H.C. ZONUNTHARA)

Under Secretary to the Govt. of Mizoram,
Environment, Forests & Climate Change Department.

Memo No.G.20015/2/2021 – FST/Vol-I

Dated Aizawl, the 6th February, 2023

Copy to: The Principal Chief Conservator of Forests, Mizoram.

Gen 2016
8/2/2023

FD 051
Receipt No. 9108
Date 7-2-23

NHC 06/02/2023

Under Secretary to the Govt. of Mizoram,
Environment, Forests & Climate Change Department.
Ph :- (0389) 2335237(O)

27/2/23
ms 210423

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GOVERNMENT OF MIZORAM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
DEPARTMENT OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
MIZORAM::AIZAWL

No. B.22019/20/2019-FC/PCCF/397

Dated Aizawl the 20 January, 2023

To,

Principal Secretary to the Govt. of Mizoram
Environment, Forests & Climate Change Department
Mizoram, Aizawl

Subj : **Proposal for diversion of 2.43278 ha of forest land for construction of Bypass at Chhiahtlang & Serchhip (Package 1) on Aizawl - Tuipang section of NH - 54 in the state of Mizoram-reg.**

Ref: IRO Shillong letter No. 3-MZ B 024/2021-SHI/2684-85

Dt. 12.12.2022

Sir,

With reference to the subject and letter no. cited above, I am directed to forward herewith a copy of Action Taken Report on the project proposal for diversion of 2.43278 ha of forest land for construction of Bypass at Chhiahtlang & Serchhip (Package 1) on Aizawl - Tuipang section of NH - 54 in the state of Mizoram received from Divisional Forest Officer, Thenzawl Forest Division for onward submission to IRO, Shillong for grant of In Principle Approval.

This is for information and further necessary action.

Enclo: As above.

Yours faithfully,

(RS SINHA)

Addl. Principal Chief Conservator of Forests (FC)

Dated Aizawl the 20 January, 2023

Memo No. B.22019/20/2019-FC/PCCF/397

Copy to :

1. Conservator of Forests (CC) for information.
2. Divisional Forest Officer, Thenzawl Forest Division.


20/11/2023
Deputy Conservator of Forest (FC)



GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
THENZAWL FOREST DIVISION
THENZAWL: MIZORAM

email id: thenzawlforest@gmail.com

Dated Thenzawl the, 10th January, 2022

No. 13031/1/2021-TFD/1206

To,

✓
Addl. Principal Chief Conservator of Forests &
Nodal Officer (FC); Mizoram, Aizawl

Subj: *Proposal for diversion of 2.43278Ha of forest land for construction of Bypass at Chhiahtlang and Serchhip (Package -I) on Aizawl-Tuipang section of NH-54 in the State of Mizoram, Engineering, Procurement and Construction (EPC) mode with JICA loan assistance- reg*

Refn : *No.B.22019/20/2020-FC/PCCF/388* *Dated 04.01.2022*

Sir,

With reference to the subject mentioned above, I am to submit herewith Action Taken Report on violation of Forest (Conservation) Act 1980 while executing construction of Bypass at Chhiahtlang and Serchhip (Package-I) on Aizawl-Tuipang section of NH-54 in the State of Mizoram as given below pointwise.

1. On detection of excavation of the Bypass road prior to IPA from MoEFCC, Govt of India, DFO, Thenzawl issued Stay Order to NHIDCL immediately vide letter No.B.13021/1/2021-TFD Dated 28.10.2020; Copy enclosed at Annexure-I.

2. The offense case of illegal felling was compounded with Rs 15000.00(Rupees fifteen thousand) as per the Mizoram Forest Act 1955. Copies of Receipt are enclosed at Annexure-II.

3. DFO Thenzawl issued Stay order to NHIDCL vide letter No B.13021/1/2021-TFD/144-146 dated 31.5.2022 due to unlawful excavation of forest area before obtaining IPA along Chhiahtlang-Serchhip By-pass project (copy enclosed at Annexure-III) and as a result, the excavation works has been stopped till date.

NHIDCL representatives were saying that they have been working on the non-forest area/part of the project site of Chhiahtlang Serchhip Bypass road project and for which land acquisition has already been done by District Administration and therefore not violated Forest Conservation Act-1980. However, the forest area of the project site (2.43278Ha only) which although comprises only minimal part of the bypass road project had been touched by the User Agency.

4. The late detection of unlawful excavation of forest area (2.43278Ha) in Chhiahtlang-Serchhip bypass road project could be due to the fact that there has been the problem of acute shortage of field staff in the area (only 3 staff under Serchhip Forest Range) to oversee and check all kinds of illegal activities over a large area. Further, due to prevalence of Covid-19 pandemic there had been lockdown and restrictions limiting patrolling movement for officer and staff during the last 2 years which result in late detection of irregular activities in forest area of Bypass road project. In addition, there had been Gauhati High Court (Aizawl Bench) Judgment Order Dated 27.01.2021 quashing notification of Riverine Reserve Forests and Roadside Reserve Forests leading to so much public debate and discussion on the issue. This judgment order might have led to confusion among forest field staff regarding the legal status of existing Reserve Forest/ Forest area and non-forest areas in the State which are affected by ongoing development projects at that time. The late detection of irregular activities of NHIDCL in Bypass road project is highly regretted and shall not be repeated in future.

5. Pursuance to PCCF Office letter No.B.22019/20/2020-FC/PCCF/243 Dt. 07.09.2022, a camper/Tipper bearing registration No. MZ-06-9499 along with registration card & ignition key have been detained in Serchhip RO Complex since 12th September, 2022 to obstruct the construction works and to ensure the stoppage of work in the By-pass road (Photos of Vehicle & Registration card enclosed at Annexure-IV).

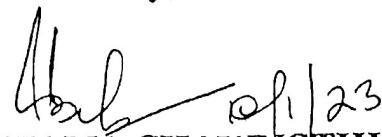
6. Penal NPV had also been imposed to NHIDCL for violation in forest area (2.43278Ha) in this particular project area as per relevant guidelines.

7. Serchhip District Monitoring Committee under the chairmanship of Deputy Commissioner had conducted inspection of the project site (Chhiahtlang - Serchhip By pass) on 12.07.2022. Inspection report of the committee ratified by all members along with directions for further action for environment protection was given to NHIDCL and its engaged contractors vide letter No.B13021/1/2021-TFD/404-414 dated 20.7.2022.

8. Serchhip District Monitoring Committee once again conducted inspection on Chhiahtlang-Serchhip By pass on 06.10.2022 to see the remedial/ protection measures for retaining the dumped spoil in the spoil banks. Inspection report with directions for further actions was given to user agency for compliance and other necessary action.

Encl: As above.

Yours faithfully,


(LALBIAKCHAMA CHAWNGTHU)
Divisional Forest Officer
Thenzawl Forest Division
Thenzawl, Mizoram

(26)

Annexure 1 371

NO.B.13021/1/2021-TFD/
OFFICE OF THE DIVISIONAL FOREST OFFICER
THENZAWL FOREST DIVISION
THENZAWL : MIZORAM

Dated Thenzawl the 28th October, 2020

To,

The RO
PMU, Seling
NHIDCL

Subj : Stay Order in respect of Construction of Bypasses at Chhiahtlang and Serchhip
(Package -I) on Aizawl – Tuipang Section of NH-54

Sir,

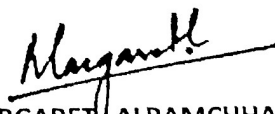
Please refer to the subject mentioned above, for which verification of the project site i.e Construction of Bypasses at Chhiahtlang and Serchhip (Package -I) on Aizawl – Tuipang Section of NH-54 was conducted by the undersigned along with Range Officer, Serchhip on 28th Oct,2020. From our visit, it was observed that earth excavation, cutting and filling work has already started at the site even though **In-Principle-Approval** has not been obtained for the same, as per provisions stipulated by the Forest Conservation Act, 1980.

Since, the provisions under FCA, 1980. requires Stage-I approval prior to commencement of work at the project site any activity prior to the same will invite violation as per rules. Therefore, you are requested to stop all activity and remove all your machineries from the mentioned site and wait for approval/Clearance from the MoEF&CC. Failure to comply with this request will result in serious repercussions.

This is for favour of your kind information and necessary action.

Encl : As Above

Yours faithfully



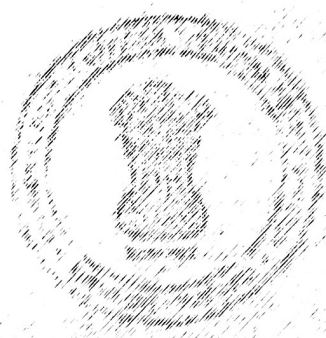
(MARGARET LALRAMCHHANI)
Divisional Forest Officer
Thenzawl Forest Division
Thenzawl : Mizoram

Dt: 28.10.2020

Memo No.B.13021/1/2021-TFD/
Copy to : Conservator of Forests (Central Circle) for information.

Divisional Forest Officer
Thenzawl Forest Division

A.Sch.L.(Part I) Form No. 19P 194/42
TRIPLICATE
FOREST DEPARTMENT MIZORAM



.....*Thenzawl*..... Division

Book No.*7*.....

Receipt No.*115 66*.....

Cash Book Dr item No.

Date

Received from*Pu Vanlalrawna of Christ Church*.....

The sum of Rs.*15,000/- (Rupees fifteen thousand) only,*.....

On account of*Wagal 5/7 125 ft (Pine Tree)*.....

Dated*Serchhip*.....
the*10. 11. 2020*.....

[Signature]
.....
Range Officer
Serchhip Forest Range
Serchhip, Mizoram



Handwritten: 111

**GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
THENZAWL FOREST DIVISION
THENZAWL, MIZORAM**

email id: thenzawlforest@gmail.com

No.B.13021/1/2021-TFD/ 144-146

Dated Thenzawl, the 31st May, 2022

To,

✓
The General Manger (Projects)
NHIDCL
PMU-Seling, Mizoram

Subject: *Irregular Muck Disposal in connection with the Project 'Widening and Up-gradation to 2-Lane paved shoulder configuration and geometric improvements from Km 8.0 to Km 380.0 on Aizawl-Tuipang section of NH-54 in the State of Mizoram (Package-2).*

Ref. : No.B.22019/18/2022-FC/PCCF/Pt. Dt.30.05.2022.

Sir,

With reference to the above, I am to bring to your attention that there has been irregular muck disposal in many places along NH-54 stretch within the jurisdiction of Thenzawl Forest Division (Serchhip & Hnahthial District) while executing the above mentioned project. The followings are specific and GPS locations other than designated spoil banks as per your Muck Disposal Plan where dumping of large volume of excavated soil have been done by NHIDCL.

Sl. No.	Specific locations	GPS Locations	Approx. damaged area (in Ha)
1	0.4 Km from Chhingchhip towards Buhkangkawn	23° 29' 39.3" N 92° 51' 14.52" E	0.7
2	9.5 Km from Chhiahtlang towards Chhingchhip	23° 26' 41.7" N 92° 51' 18.3" E	0.5
3	7.8 Km from Chhiahtlang towards Chhingchhip	23° 25' 7.74" N 92° 51' 19.98 E	0.5
4	8.0 Km from Chhiahtlang towards Serchhip	23° 25' 48.3" N 92° 51' 12.48" E	0.6
5	1.0 Km from Chhiahtlang towards Chhingchhip	23° 24' 4.74" N 92° 50' 56.4" E	0.7
6	7.1 Km from Chhiahtlang towards Chhingchhip	23° 24' 39" N 92° 51' 4.74" E	0.5
7	7.8 Km from Chhiahtlang towards Chhingchhip	23° 25' 2.52" N 92° 51' 15.24" E	0.5
8	0.5 Km from Chhiahtlang towards Chhingchhip	23° 23' 52.38" N 92° 50' 57.3" E	0.6
9	Serchhip to Keltum road near Dumping ground	23° 15' 47.66" N 92° 52' 47.46" E	0.2

394
Further, there are some designated spoil banks where there has been large scale dumping of muck without construction/erection of retaining wall or Gabion in advance which adversely affect forests, biodiversity, river and stream ecosystems in downhill terrains. This kind of irresponsible action from NHIDCL is highly unexpected and unwelcomed especially after signing Undertakings to the effect that utmost care shall be taken to protect and conserve the environment and that no violation of Forest Conservation Act 1980 shall be ensured while executing the road project.

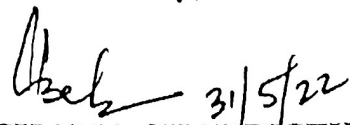
The irregular disposal of large volume of excavated soil and non-compliance with Muck Disposal Plan result not only in extensive destruction of valuable faunal and floral diversity and but loss of river ecosystems and aquatic life due to siltation, which have ultimately impacted public drinking water supply in a negative manner. The non compliance of Muck Disposal Plan and Undertaking submitted by you to PCCF office, Aizawl vide No.208/NHIDCL/PMU-Seling/2020-21/NH54/Wk/Forest/888 Dt 2.11.2020 is the clear violation of Forest Conservation Act-1980. Some of the photograph showing irregular muck disposal along NH-54 road project are also enclosed herewith.

Further it may also be reiterated that as of today, Stage- I (In Principle Approval) approval is under process and not yet given to NHIDCL for the Projects under Serchhip District such as 'Widening and Up-gradation to 2-Lane paved shoulder configuration and geometric improvements from Km 8.0 to Km 380.0 on Aizawl-Tuipang section of NH-54 in the State of Mizoram (Package-2) and 'Construction of Bypasses at Chhiahtlang & Serchhip (Package -I) on Aizawl-Tuipang section of NH-54 in the State of Mizoram'. However, NHIDCL had initiated execution of works on the ground without Stage I approval (IPA) which is again gross violation of Forest Conservation Act 1980.

Therefore, you are hereby informed to immediately stop all the construction activities of NH-54 Road project (package -2 and Chhiahtlang & Serchhip Bypass) within Thenzawl Forest Division (Serchhip & Hnahthial Districts) unless and until Stage -I approval (IPA) is obtained from MoEFCC, Govt of India to avoid further course legal action.

Encl: As above

Yours faithfully,


(LALBIAKCHAMA CHAWNGTHU)
Divisional Forest Officer
Thenzawl Forest Division
Thenzawl: Mizoram

Memo No.B.13021/1/2021-TFD/_____

Dated Thenzawl, the 31st May, 2022

Copy to:

- 1) Addl. Principal Chief Conservator of Forests & Nodal Officer (FC) Mizoram Aizawl for kind information.
- 2) Conservator of Forests, Central Circle for kind information.
- 3) Executive Director (Project), NHIDCL, BO - 3rd Floor, T-86, Tuikhuahtlang, Aizawl Mizoram-796001 for information and necessary action.

Divisional Forest Officer
Thenzawl Forest Division
Thenzawl: Mizoram

(73)

31
Annexure-IV

Indian Union Vehicle Registration Certificate
Issued by GOVERNMENT OF MIZORAM

Regn. Number: **MZ069499** Date of Expiry: **20/03/2020** Regn. Validity: **20/03/2015**

Class Number: **MAT44AR121 3803253**

Engine Model Number: **PSB5.9B4S1AOK107063A30557**

Owner Name: **SRI GURAJIT INDIRA KHAIS PVILID**

Sec. With Discharge: **NA**

Address: **KONHAR, MITKHAON BUNNO MAIDYA PHAKS H. Serchhip MZ 796181**

Fuel: **DIESEL**

Emission Norms:

Vehicle Class: Goods Carrier

Regn. Number: **MZ069499**

Manufacturer: **TATA MOTORS LTD**

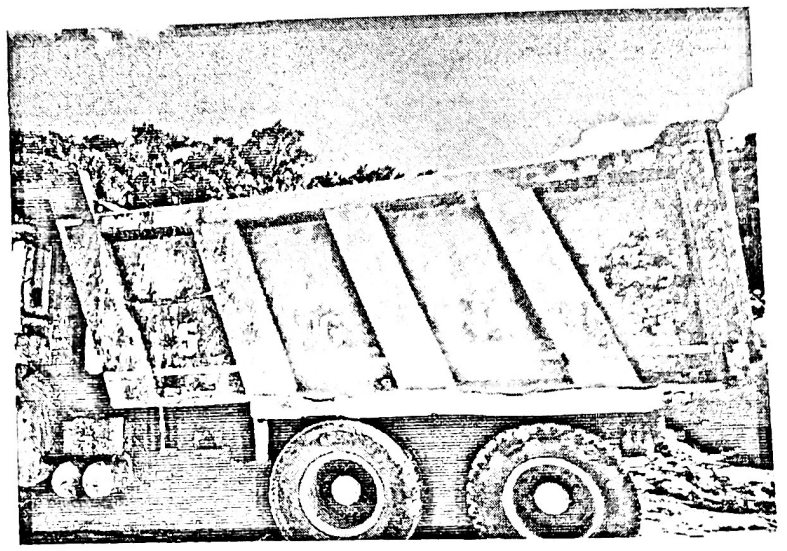
Model: **TATA LPE 2518 C NERS IV HD**

Color: **TITANIUM WHITE**

Registration Number: **0772020**

Registration Date: **06**

Registration Office: **INDIAN BANK LIMITED DELHI**



Detained Tripper at Serchhip Range Complex (Registration No.MZ-06-9499)