

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

O.A. No.26 of 2023

IN THE MATTER OF:

PI VANRAMCHHUANGI

... APPLICANT

VERSUS

UOI & ORS

... RESPONDENT(S)

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Date: 10.08.2023

New Delhi

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SITTING AT KOLKATA

ORIGINAL APPLICATION NO. 26 OF 2023

IN THE MATTER OF:

PI VANRAMCHHUANGI

... Petitioner

Versus

UNION OF INDIA AND OTHERS

... Respondents

REPLY TO APPLICATION ON BEHALF OF RESPONDENTS NO.4, 6 & 7

- STATE OF MIZORAM

1. The above captioned Original Application has been filed *inter-alia* seeking issuance of directions to the Respondents to forthwith submit a time-bound muck disposal plan in relation to the widening of NH 54 to 2 Lane, passing through districts of Aizawl to Tuipang, in the State of Mizoram at the earliest and bar them from continuing with the construction of road until proper disposal of muck already generated is undertaken.
2. That the primary allegations in connection with the Road Widening And Upgradation Project on NH-54 are the irregular/indiscriminate muck disposal causing concern of natural disasters such as landslides in the State of Mizoram and the illegal felling of trees in violation of The Forest (Conservation) Act, 1980 and The Mizoram Forest Act, 1955. That the present Reply is being filed in compliance of the Order dated 20.07.2023 passed by this Hon'ble Tribunal and with the earnest endeavour to respond to the concerns raised in the Original Application.
3. It is respectfully submitted that as shown in Letter dated 21.11.2016 at Annexure P-15 at Page 1207 of the Additional Affidavit filed by the

Original Applicant herein, the Respondent No. 3- NHIDCL, had been assigned the task of “*Widening and Upgradation of NH-54 to 2 Lane with paved shoulder and geometric improvement from 8 km to 380 km [total 372 Km] in Mizoram*”.

4. It is further submitted that, vide Letters dated 08.11.2018, the following three stretches of land covering NH-54, were handed over to NHIDCL by the PWD Department, Government of Mizoram-
 - a. Aizawl to Serchhip- 190 Kmp to 290 Kmp
 - b. Serchhip to Lawngtlai- 290 Kmp to 475 Kmp
 - c. Lawngtlai to Tuipang- 475 Kmp to 562 Kmp

A Copy of Handing/taking over NH-54 from Aizawl to Serchipp between Mizoram and PWD and NHIDCL is annexed herewith and marked as **ANNEXURE R6/1.**

A Copy of Handing/taking over NH-54 from Serchipp to Lawngtlai between Mizoram and PWD and NHIDCL is annexed herewith and marked as **ANNEXURE R6/2.**

A Copy of Handing/taking over NH-54 from Lawngtlai to Tuipang between Mizoram PWD and NHIDCL is annexed herewith and marked as **ANNEXURE R6/3.**

5. It is necessary to note that the aforesaid land handovers also cover the land stretch of NH-54 from 431 Km to 562 Km as mentioned in the DPR dated October, 2015 annexed with the present Application. Therefore, it becomes clear that the implementing agency/user agency of the Road Widening

Project on NH-54 is the NHIDCL.

6. That the following paragraphs elaborate on the action taken by Respondent No.6- Department of Environment Forest and Climate Change, Government of Mizoram (“**Department of EF & CC**”) and Respondent No. 7- Department of Mizoram State Pollution Control Board on the issue of irregular muck dumping during the Road Widening and Upgradation Project undertaken by NHIDCL on NH-54, on the issue of illegal diversion of forest and illegal felling of trees done during the implementation of the said road widening project.
7. That on 27.05.2022, the office of Principal Chief Conservator of Forest, Government of Mizoram, (“**PCCF**”), requested the MPCB to look into the matter of indiscriminate muck dumping during construction of roads and take necessary action as per prevailing Acts and Rules. A copy of the letter No. B. 22019/18/2022-FC/PCCF/34, dated 27.05.2022 is attached herewith and marked as **ANNEXURE-R6/4.**
8. On 28.05.2022 and 30.05.2022, the office of PCCF, requested all the Divisional Forests Officers covering the Districts of Aizawl, Champai, Lunglei, Thenzawl and Tiabung, to conduct site verification where construction was being undertaken by NHIDCL and confirm if there are any violations of the Forest (Conservation) Act, 1980 and the Mizoram Forest Act, 1955. Copies of the Letters dated 28.05.2022 and 30.05.2022 are attached herewith and marked as **ANNEXURE-R6/5.**
9. On 31.05.2022, the office of PCCF, intimated the Under Secretary, EF&CC on violation of the Forest (Conservation) Act, 1980 and to request the concerned Deputy Commissioners, Mizoram to look into the matter of

irregular muck disposal and take necessary actions. A copy of the letter No. B. 22019/18/2022-FC/PCCF/Pt, dated 31.05.2022 is attached herewith and marked as **ANNEXURE-R6/6.**

10. On 07.06.2022 the Undersecretary Government of Mizoram, was requested by the Office of PCCF to inform the IRO, Shillong about the violations in connection with Package 2 of Road Widening Project. The said Letter mentioned the violation reports submitted by the DFO Thenzawl and DFO Lunglei. A copy of the letter No. B. 22019/15/2019-FC/PCCF/201, dated 07.06.2022 is attached herewith and marked as **ANNEXURE-R6/7.**

11. On 08.06.2022 the office of PCCF forwarded a copy of the violation report in connection with the Project ‘Construction of Chhiahtlang & Serchhip Bypass (Package 1) on Aizawl-Tuipang Section of NH-54 in the state of Mizoram as the construction began without obtaining forest clearance, and requested that the IRO, Shillong, Deputy Commissioner, Serchhip and MPCB may be informed about the violation. The DFO detected the violation on 24.10.2020 and a Stay Order was issued on 28.10.2020. Thereafter, illegal felling of trees were compounded with Rs. 15000 as per the Mizoram Forest Act. Thereafter two stay orders were issued dated 11.11.2020 and 31.05.2022 relating to the construction. A copy of letter No. 6 vide letter No. B. 22019/20/2019-FC/PCCF/185, dated 08.06.2022 is attached herewith and marked as **ANNEXURE-R6/8.**

12. On 10.06.2022, the State of Mizoram vide Notification No. G. 20015/2/2021/FST/Pt.1, constituted District Level Monitoring Committees (“**DLMC**”) to monitor the compliance of environmental laws for the works carried out in various developmental projects (linear and non-linear). As

per the functions laid out in the Notifications, the DLMCs were tasked to ensure- that the soil banks are identified for dumping of excavated soil from construction works and ensure that the excavated soil are dumped into the identified soil banks. The DLMCs were also tasked to ensure that the soil banks and dumping sites are managed and protected in such a manner that no soil excavated for construction projects cause damage to land, lake or rivers. A copy of the Notification No. G. 20015/2/2021/FST/Pt., dated 10.06.2022 is attached herewith and marked as **ANNEXURE-R6/9.**

13. On 12.07.2022, vide letter No. 3-MZ B. 024/2021-SHI/1177-68, the IRO, Shillong, MoEF& CC, Government of India gave instructions to the State Government to assess the extent of the violation and calculate penalty as per the Forest (Conservation) Act, 1980 Guidelines at Para 1.21(ii) and also calculate NPV as per Ministry's latest guidelines dated 06.01.2022 in connection with the construction of Bypass at Chhiahtlang and Serchhip (Package-1) Aizawl. A copy of letter No. No. 3-MZ B. 024/2021-SHI/1177-68, dated 12.07.2022 is attached herewith and marked as **ANNEXURE-R6/10.**

14. On 15.07.2022, the State of Mizoram vide Notification No. G. 20015/29/2020-FST/Pt. II, constituted a State Level Monitoring Committee (“SLMC”) to monitor environmental issues arising from development projects undertaken by NHIDCL in the State of Mizoram. The members of the SLMC are as follows:

Chairman – Adviser to Chief Minister (Technical)

Members –
1. Principal Secretary, GAD
2. Principal Secretary, EF & CC Department

3. Secretary, PWD
4. Secretary, PHED
5. Engineer-in-Chief, PWD
6. Engineer-in-Chief, PHED
7. Member Secretary, Mizoram Pollution Control Board
8. Executive Director, NHIDCL, Regional Office
9. Representative of CYMA
10. Representative of Save Mizoram Rivers.

Member Secretary- Principal Chief Conservator of Forests, Mizoram

A copy of the Notification dated 15.07.2022 is attached herewith and marked as **ANNEXURE-R6/11.**

15. On 01.08.2022 the first meeting of the SLMC was held wherein the need for taking necessary actions to ensure ecological stability while taking up works for road construction or up gradation was propounded. Further, the action taken by the DLMC of Aizawl, Champhai, Saitual, Serchhip, Lunglei and Kolasib districts, the Reports submitted by MPCB, Save Mizoram Rivers and NHIDCL were discussed at length and following recommendations were made *inter-alia* - action to be taken by EF & CC Department to expedite the proposals received from NHIDCL for forest clearance and action to be taken in consultation with DLMCs to address the damages caused to environment because of irregular muck disposal in the following two months.

A copy of the Meeting Minutes dated 10.08.2022 is attached herewith and marked as **ANNEXURE-R6/12.**

16. On 09.09.2022, the Divisional Forest Officer, Thenzawl informed the Conservator of Forests (Central Circle) that as per the reports of Serchhip District Monitoring Committee, after visit on 12.07.2022, the Committee

found that no further excavation was being done for construction of Bypass at Chhiahtlang and Serchhip (Package-1) informed that the that was stopped and no further violation was there in Package 1 of NH-54. A copy of letter No. 13031/1/2021-TFD/620-622, dated 09.09.2022, is attached herewith and marked as **ANNEXURE-R6/13.**

17. On 09.09.2022, the DFO, Lunglei Forest Division, informed the office of PCCF that the violation in relation to illegally felling of trees under the Road Widening Project on NH-54 (Package II) was compounded.

A copy of letter No. 20017/2/2022-DFO(L)/177-193, dated 09.09.2022, is attached herewith and marked as **ANNEXURE-R6/14.**

18. In connected with the Road Widening Project on NH-54 (Package II), the DFO, Thenzawl vide Letter dated 14.09.2022, informed the office of PCCF that Stay Order dated 31.05.2022, was issued to NHIDCL for beginning the construction without In-Principal Approval. That even after the In-Principal Approval was given to NHIDCL, the excavation works were stayed and not allowed to continue, as improper muck disposal was found been done damaging an area of about 5 Ha. As per the Report dated 12.07.2022, the excavation activities had remained stopped.

A copy of letter No. B. 13021/1/2021-TFD, dated 14.09.2022 is attached herewith and marked as **ANNEXURE-R6/15.**

19. In connection with the illegal diversion of forest in construction of Package II of Road Widening Project on NH-54 the IRO, Shillong vide Letter No. 3-MZ C 059-2020-SHI/2022-23, dated 14.10.2022 informed the Principal Secretary Government of Mizoram, that the penal amount should be added to the compensation values keeping in mind the violation committed by NHIDCL. As recorded on the PARIVESH PORTAL, the said amount has

been paid by NHIDCL on 22.05.2023.

A copy of Letter No. 3-MZ C 059-2020-SHI/2022-23, dated 14.10.2022 is attached herewith and marked as **ANNEXURE-R6/16.**

20. On 10.10.2022, the DFO, Lunglei Forest Division, informed the office of PCCF that the violation in relation to illegal felling of trees under the Road Widening Project on NH-54 (Package III) was compounded. Further in connection with the illegal diversion of forest in construction of Package III of Road Widening Project on NH-54 a Penal NPV of Rs. 1,19,039/- was imposed on NHIDCL which has been paid by the User Agency as conveyed vide Letter dated 12.06.2023.

A copy of letter No. F. 20017/2/2022-DFO(L)/216-219, dated 10.10.2022, is attached herewith and marked as **ANNEXURE-R6/17.** A copy of the Letter dated 12.06.2023 issued by the NHIDCL is attached here **ANNEXURE-R6/18.**

21. The second meeting of the SLMC was held on 21.12.2022 wherein, the reports submitted by various DLMC revealed that irregular muck disposal have taken place in various districts during execution of road construction. The Committee recommended Joint Field Verification may be carried to ascertain disposal of muck at designated Spoil Banks and the execution of corrective measures to prevent environmental damages. A copy of the Meeting Minutes dated 21.12.2022 is attached herewith and marked as **ANNEXURE-R6/19.**

22. That hereinbelow, is a tabular chart on summarisation of the action taken by the DLMCs of the 6 Districts that fall within the Road Widening Project on NH-54 –

<p>1. Lunglei & 2. Hnahthial</p>	<p>1.1 The DLMC, Lunglei conducted a meeting on 22.06.2022 wherein, contractors of NH-54 were instructed to carry out construction of RCC/Gabion walls at dumping sites to prevent entering of muck into water bodies.</p> <p>1.2 Further, it was concluded that dumping of muck should be done only at designated dumping sites and all applicable environmental laws should be strictly followed by the contractors.</p> <p>A copy of Meeting minutes issued on 23.06.2022 is attached herewith and marked as <u>ANNEXURE-R6/20.</u></p> <p>1.3 The DLMC, Lunglei conducted a meeting again on 25.08.2022 wherein, physical verification report was submitted and it was observed that the dumping grounds were still without RCC/Gabion Walls and NHIDCL, who is the User Agency were instructed to do the needful.</p> <p>A copy of the Minutes of Meeting dated 26.08.2022 is attached herewith and marked as <u>ANNEXURE-R6/21.</u></p> <p>1.4 The DLMC, Lunglei conducted a third meeting on 10.11.2022 wherein, physical inspection reports were submitted and discussed. It was concluded that the efforts made by the NHIDCL were still inadequate and were requested again to comply with the decisions made by the competent authority.</p>
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	<p>A copy of the Minutes of Meeting dated 11.11.2022 is attached herewith and marked as <u>ANNEXURE-R6/22.</u></p> <p>1.5 The DLMC, Hnahthial conducted a meeting on 01.02.2023 wherein, similar instructions were given to the contractors for the construction of RR/Gabion walls at the dumping sites.</p> <p>A copy of Meeting minutes issued on 01.02.2023 is attached herewith and marked as <u>ANNEXURE-R6/23.</u></p>
3. Siaha	<p>3.1 As per Action Taken Report dated 21.06.2022, it is clear that Instruction on environmental safety was issued to all construction companies undertaking developmental works within Siaha District.</p> <p>3.2 Joint Verification of Spoil Banks along Package VIII of the Road Widening Project on NH-54 was held on 05.06.2022 was conducted wherein it was concluded the major factor of riverine pollution in Mizoram is due to irregular muck disposal.</p> <p>A copy of ATR dated 21.06.2022 is attached herewith and marked as <u>ANNEXURE-R6/24.</u></p>
4. Lawngtlai	<p>4.1 The DLMC, Lawngtlai held a meeting on 01.07.2022 wherein directions were given to all contractors to strictly comply with existing regulations on dumping of excavated soils on Spoil Banks and physical inspection of ongoing upgradation work in Package VI of Road Widening Project on NH-54 was directed to be undertaken on 07.07.2022.</p>

	<p>A copy of Meeting Minutes issued on 04.07.2022 is attached herewith and marked as <u>ANNEXURE-R6/25.</u></p> <p>4.2 Deputy Commissioner, Lawngtlai vide his letter dated 20.12.2022 submitted ATR stating that spoil banks in connection with NH-54 has been approved after due verification with forest department and all concerned contractors were informed to ensure that developmental projects do not cause damage to environment.</p> <p>A copy of ATR dated 20.12.2022 is attached herewith and marked as <u>ANNEXURE-R6/26.</u></p>
5. Serchhip	<p>5.1 The DLMC, Serchhip instructed the NHIDCL vide letter dated 01.06.2022 to take necessary actions for proper collection and disposal of earth spoils to avoid environmental hazards along NH-54 road construction.</p> <p>5.2 Joint Inspection of designated Spoil Banks within the District was held on 28.06.2022 and 12.07.2022.</p> <p>A copy of ATR dated 21.07.2022 is attached herewith and marked as <u>ANNEXURE-R6/27.</u></p> <p>5.3 Following the joint inspection, the DMLC, Serchhip gave recommendations for improvement and rectifications of designated spoil banks along Package I & II of NH-54 where irregular dumping and spillage of spoils were observed.</p> <p>A copy of meeting minutes issued on dated 03.10.2022 is attached herewith and marked as <u>ANNEXURE-R6/28.</u></p>
6. Aizawl	6.1 As per Action Taken Report dated 21.07.2022 the DLMC, Aizawl conducted Sport Verification along NH-54 on

	<p>22.07.2022 to monitor cases of improper disposal and dumping of excavated soil on lands other than designated Spoil Banks and its impact on Environmental damages due to construction works of NH-54.</p> <p>A copy of ATR dated 21.07.2022 is attached herewith and marked as <u>ANNEXURE-R6/29.</u></p>
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23. Since violation of the Forest (Conservation) Act , 1980 and the Mizoram Forest Act, 1955 were detected by concerned Divisional Forest Officers in their respective jurisdiction in respect of developmental projects taken up by NHIDCL, the DFOs have issued Stay Order for the Road Widening Project on NH-54 Package II, and Package III. The said Orders are Annexed at Page 1223-1231 at Annexures P26-29 of the Additional Affidavit filed by the Applicant dated 18.04.2023.

24. On 15.05.2023, the MPCB submitted the Report on Assessment of the Environmental Compensation to be paid by NHIDCL in connection with violation of environmental Acts and Regulations under the Road Widening Project on NH-54 related to NH-54 and other road construction projects to the Office of PCCF. The Compensation amount calculated is to the tune of Rs. 5,90,70,000/- (Rupees Five Crore Ninety Lakhs Seventy Thousand Only). The Report was submitted in compliance of direction by the SLMC in the meeting held on 25.07.2022.

A copy of letter No. H. 88088/Poltn/47-I/2022-MPCB/74-77, dated 15.05.2023 is attached herewith and marked as **ANNEXURE-R6/30.**

25. Thereafter, in response to the MPCB's letter, the Office of PCCF requested the Member Secretary, MPCB to take necessary action for realisation of the

environmental compensation wherever violation has taken place as the MPCB has been authorised in this regard under Section 4(1) of the Environmental (Protection) Act, 1986. A copy of letter No. B. 22019/18/2023-FC/PCCF/109, dated 30.05.2023 is attached herewith and marked as **ANNEXURE-R6/31**.

26. In light of the aforesaid it is most respectfully submitted that the Respondent No. 6 and 7 with the aid of the Officials of IRO Shillong have initiated action on the issue of muck disposal in connection with the construction and upgradation work on NH-54 to ensure the protection of the Environmental laws and Regulations.
27. That, the answering Respondents herein further seek liberty to file additional Reply in course of litigation as and when directed by this Hon'ble Tribunal or required in the facts and circumstances of the case.



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NEW DELHI

DATED: 10.08.2023

Signature

भारतीय गैर न्यायिक

Cicilia Laimmingmawii
Stamp Vendor

दस
रुपये

रु.10

भारत



TEN
RUPEES

Rs.10

INDIA NON JUDICIAL



मिजोरम MIZORAM

BEFORE THE NATIONAL GREEN TRIBUNAL, SITTING AT KOLKATTA

01AA 508571

NEW DELHI

O.A. NO. 26 OF 2023/EZ

IN THE MATTER OF: -

PI Vanramchhuangi

... Applicant

Vs

Union of India & Ors

... Respondents

AFFIDAVIT

I, C. Lalduhawma, aged about 57 years, Member Secretary, Mizoram Pollution Control Board, office at Mizoram Pollution Control Board, MINECO, Khatla, Aizawl, Mizoram-796001, do hereby solemnly affirm and declare as under:-

- 1) That I am the Member of Secretary, MPCB/ Respondent No. 7, in the present Petition and as such I am competent and authorized to swear the present affidavit on behalf of Respondent Nos. 4, 6 and 7.
- 2) That I have read and understood the contents of the accompanying Reply Affidavit on behalf of Respondent Nos. 4, 6 and 7 which have been drafted as per my instructions basis the knowledge derived from the official records maintained by the State Departments, which I believe to be true and correct.



MIZORAM

00AA 204058

- 3) That the annexures filed along with the Reply Affidavit are true and correct copies of its originals.

[Signature] 10/8/23
 DEPONENT

Member Secretary
 Mizoram Pollution Control Board
 Mizoram : Aizawl

VERIFICATION:

I, the deponent above named do hereby solemnly affirm and verify that what is stated in the foregoing Affidavit is true to my knowledge and belief based on the records of the case and I believe the same to be true.

Verified at Aizawl, Mizoram on this 10th day of August, 2023.

Identified By:

[Signature] 10/8/23
 (ROSIE MALSA WMTLUANGI)
 Advocate
 Republic Veng
 Aizawl, Mizoram

Signed Before me

[Signature] 10/8/2023
 ALBERT T. VANLALNGHAKA
 Advocate & Notary Public
 Aizawl : Mizoram

[Signature] 10/8/23
 DEPONENT
 Member Secretary
 Mizoram Pollution Control Board
 Mizoram : Aizawl

Notarial Registration
 No. 17/18
 Date 10/8/2023

**HANDING/TAKING OF NH-54 FROM LAWNGTLAI- TUIPANG KM 475/000 TO
KM 562.00 BETWEEN MIZORAM PWD AND NHIDCL**

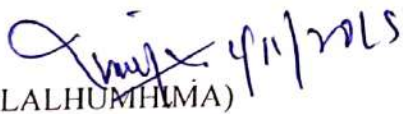
In pursuant to the Gazette of India 750.S.O. 5666 & 5667 Dated New Delhi the 8th/November/2018, we the undersign Handed / Taken over the road, NH-54 Lawngtlai to Tuipang (Ch:475/00 Kmp to 562/00Kmp) having the following conditions: -

- a) The actual length of the road measured as 87/000Kms (from Km475/000 to Km 562/000) and width of the road is as per the specifications.
- b) All culverts works shown in the appendix - "A" to the handing taking over are existing on the ground and correct as per specifications.
- c) Surfacing works has been completed on the ground as per specification and the crust thickness details enclosed as per appendix "B".

We jointly also opine that all works executed by the construction agency was actually necessary on the ground.

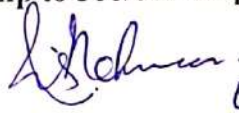
The road having the length of 87/000Kms (from Km 475/000 to Km 562/000) is fit for traffic and statuary ready for handing over/taking over.

Handed over By


(C.LALHUMTHUMA)
Executive Engineer, PWD
Multi Modal Project Division
Lawngtlai: Mizoram


Taken over By

475/000 kmp to 506/000 kmp


(MD. ZIAUR RAHMAN)
Manager (P), NHIDCL
s.o - Lawngtlai

01/11/2019

506/000 kmp to 562/000 kmp


(WESTERSON PAKYNTAIN)
Trainee Graduate Engineer,
NHIDCL, Siaha

**HANDING/TAKING OF NH-54 FROM SERCHHIP - LAWNGTLAI KM 290/000 TO
KM 475/00 BETWEEN NHIDCL AND MIZORAM PWD**

In pursuance to the Gazette of India 750.S.O 5666 & 5667 Dated New Delhi the 8th/November/2018, we the undersigned Handed / Taken over the road, NH-54 Serchhip to Lawngtlai (Ch:290/00Kmp to 475/00Kmp) having the following conditions: -

- a) The actual length of the road measured as 185/000Kms(from Km 290/000 to Km 475.00) and width of the road is as per the specifications.
- b) All culverts works shown in the appendix - "A" to the handing taking over are existing on the ground and correct as per specifications.
- c) Surfacing works completed on the ground as per specification and the crust thickness details enclosed as per appendix "B".

We jointly also opine that all works executed by the construction agency was actually necessary on the ground.

The road having the length of 185/000 Kms(Km 290/000 to Km 475/000) is fit for traffic and statuary ready for handing over/taking over.

Handed over By



(LALRAMHLUNA)

National Highway Division-IV
Executive Engineer, PWD
National Highway Division-V
Lunglei : Mizoram

Taken over By



(SUNIL KUMAR)

General Manager(Projects)
NHIDCL,BO.Aizawl.Mizoram

HANDING/TAKING OF NH-5 FROM AIZAWL- SERCHHIP KM 190/000 TO KM 290/00 BETWEEN MIZORAM PWD AND NHIDCL

In pursuance to the Gazette of India 150.S.O 5666 & 5667 Dated New Delhi the 8th/November/2018, we the undersigned Handed / Taken over the road, NH-54 Aizawl to Serchhip (Ch: 190/00Kmp to 290/00Km) having the following conditions: -

- a) The actual length of the road measured as 100/00Km (from Km 190/000 to Km 290.00) and width of the road is as per the specifications.
- b) All culverts works shown in the appendix - "A" to the handing / taking over are existing on the ground and correct as per specifications.
- c) Surfacing works completed on the ground as per specification and the crust thickness details enclosed as per appendix "B".

We jointly also opine that all works executed by the construction agency was actually necessary on the ground.

The road having the length of 100/000 Kms(Km 190/000 to Km 290/000) is fit for traffic and ready for handing over taking over.

Handed over By


(ROBIN LALRINAWMA)
Executive Engineer., PWD
National Highway Division III
Aizawl : Mizoram

Taken over By


General Manager (P) NHIDCL
B.O. Aizawl, Mizoram



Junior Engineer, PWD
National Highway Division- III



URGENT

GOVERNMENT OF MIZORAM ANNEXURE R6/4
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
DEPARTMENT OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
MIZORAM::AIZAWL

No.B.22019/18/2022-FC/PCCF/34

Dated Aizawl the 27th May, 2022

To

The Member Secretary,
 Mizoram Pollution Control Board,
 Aizawl :: Mizoram.

Subj : Indiscriminate dumping of muck by NHIDCL - reg.


Sir,

I am directed to forward herewith a copy of the letter dated 27.05.2022 received from Pi Vanramchhuang (Ruafela Nu), Chaltlang Dawrkawn, Aizawl (copy enclosed) on the subject mentioned above. The letter is self explanatory.

In this regard, you are requested to kindly examine the matter and take necessary actions at the earliest as per acts and rules applicable in the State on the subject.

Enclosed: As above

Yours faithfully,


 (M.Z.SINGSON)
 Deputy Conservator of Forests (FC)

Dated Aizawl the 27th May, 2022

Memo No.B.22019/18/2022-FC/PCCF/

Copy to:

1. Under Secretary to Govt. of Mizoram, EF&CC Dept. for kind information and necessary actions.
2. Conservator of Forests - Northern Circle / Central Circle / Southern Circle for information and necessary actions.
3. Divisional Forest Officer - Aizawl, Champhai, Lunglei, Thonzawl and Tlabung for information and necessary actions. They are also requested to verify the muck disposal sites of NHIDCL whether sites are as per approved Muck Disposal Plan or not and submit the reports.
4. District Council Conservator of Forests - LADC and MADC for information and necessary actions. They are also requested to verify the muck disposal sites of NHIDCL whether sites are as per approved Muck Disposal Plan or not and submit the reports.


 (VANLALNUNPUII HMAR)
 Assistant Conservator of Forests (FC)

URGENT

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

No.B.22019/18/2022-FC/PCCF/Pl

Dated Aizawl the 28th May, 2022

To

ANNEXURE R6/5

Divisional Forests Officer (Aizawl / Champhai / Lunglei / Thenzawi / Tlabung)

District Council Conservator of Forests (LADC / MADC)

Sub : Dumping of muck by NHIDCL - reg.

Kindly find herewith a photo copy of banner found to be displayed on the roadside near PCCF Office Complex, Tuikhuahtlang on 28.05.2022 on the subject.

In this regard, you are requested to ascertain the facts and details from the sites and take necessary actions as per provisions under the Mizoram (Forest) Act, 1955, the Forest (Conservation) Act, 1980 and Environment (Protection) Act, 1986 and submit the action taken report.

Enclosed: As above


(R.S.SINHA)

Addl. Principal Chief Conservator of Forests (FC)

Memo No.B.22019/18/2022-FC/PCCF/

Dated Aizawl the 28th May, 2022

Copy to:

1. Under Secretary to Govt. of Mizoram, EF&CC Dept. for information and necessary action. A copy of the banner is enclosed.
2. Conservator of Forests (Central Circle / Southern Circle) for information and necessary actions. A copy of the banner is enclosed.
3. Member Secretary, Mizoraa Pollution Control Board for information and necessary actions. A copy of the banner is enclosed.


(VANLALNUNPUII HMAR)
Assistant Conservator of Forests (FC)

URGENT

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

No.B.22019/18/2022-FC/PCCF/Pt

Dated Aizawl the 30th May, 2022

To

Divisional Forests Officer (Aizawl / Champhai / Lunglei / Thenzawl / Tlabung)

District Council Conservator of Forests (LADC / MADC)

Sub : Dumping of muck by NHIDCL - reg.**Ref:** T.O. Letter No.B.22019/18/2022-FC/PCCF/Pt

dt.28.05.2022

Sir,

In continuation to this office letter No. cited above, I am directed to request you to conduct site verification /visit to the construction sites undertaken by NHIDCL under your jurisdiction and confirm whether there are violations of the Mizoram (Forest) Act, 1955 and the Forest (Conservation) Act, 1980. In case any violation is observed then works may be stopped immediately as per provisions of the relevant Acts / Rules. You are further requested to submit your report effectively by tomorrow itself.

Enclosed: As above

Yours faithfully,

M.Z. Singson
30/5/2022
(M.Z.SINGSON)

Deputy Conservator of Forests (FC)

Memo No.B.22019/18/2022-FC/PCCF/

Dated Aizawl the 30th May, 2022**Copy to:**

1. Conservator of Forests (Central Circle / Southern Circle) for information and necessary actions.
2. Under Secretary to Govt. of Mizoram, EF&CC Dept. for information and necessary action.
3. Member Secretary, Mizoram Pollution Control Board for taking similar action in case of violation of Environment (Protection) Act, 1986.

Vanlalnunpuii
30/5/22

(VANLALNUNPUII HMAR)

Assistant Conservator of Forests (FC)

URGENT

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

No.B.22019/18/2022-FC/PCCF/Pt

Dated Aizawl the 31th May, 2022

To

Under Secretary to the Government of Mizoram
Environment, Forests and Climate Change Department
Mizoram

Sub : Reported damage to the environment - reg.

Sir,

I am directed to inform you that it has come to the notice of PCCF Office that during the construction of roads by NHIDCL, violation of Forest (Conservation) Act, 1980 and damage to the environment is being done. Protests were held outside PCCF Office demanding appropriate action in the matter. A copy of the banner displayed outside the office is enclosed. Copy of the letter submitted to PCCF Office in this connection is also enclosed.

The concerned DFOs, vide letters dated 28.05.2022 and 30.05.2022, have been requested to take necessary actions and also to stop the works as per provisions of relevant Acts/Rules, in case any violation of Mizoram (Forest) Act, 1955 and the Forest (Conservation) Act, 1980 is observed. Copies of the letters written to the DFOs are enclosed.

Also, an article has been published in the Times of India dated 28.05.2022 on the subject, a copy of which is enclosed.

You are therefore requested for bringing the above facts to the knowledge of State Government.

Further, the concerned Deputy Commissioners may be requested to look into the matter of irregular muck disposal and take necessary actions. The Deputy Commissioners may be requested to take all necessary actions to ensure safe muck disposal and no damage to the environment. This is also as per the functions of the Monitoring Committees constituted by the State Government vide Notification dated 26.10.2020 (copy enclosed).

Enclosed: As above

Yours faithfully,


(M.Z SINGSON)
31/5/2022
Deputy Conservator of Forests (FC)

o/c

1587
GOVERNMENT OF MIZORAM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
DEPARTMENT OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
MIZORAM::AIZAWL

23

ANNEXURE R6/7

No. B.22019/15/2019-FC/PCCF/ 201
To

Dated Aizawl the 7th June, 2022

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

Subj : Violation in connection with the Project 'Widening & Upgradation 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: 1. DFO Thenzawl letter No. B. 13021/1/2021-TFD/147-149 Dt. 31.05.2022
2. DFO Lunglei letter No. F. 20017/2/2022 - DFO (L)/50-51 Dt. 01.06.2022

Sir,

With reference to the above subject, I am directed to forward herewith a copy of violation report in connection with the Project 'Widening & Upgradation 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) received from Divisional Forest Officer, Lunglei & Divisional Forest Officer, Thenzawl Forest Division vide their letter under reference for information and further action.

The proposal is at present pending with Regional Office, Shillong, Mo EF&CC for Stage I approval. It is requested that IRO, Shillong may be informed about the violation. Further, Deputy Commissioner, Lunglei and Deputy Commissioner, Serchhip and Mizoram Pollution Control Board may also be informed for necessary action from their end.

Encl: As above.

Yours faithfully,

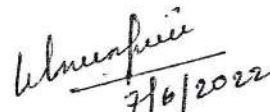

(MZ SINGSON)

Deputy Conservator of Forest (FC)
Dated Aizawl the 7th June,

Memo No. B.22019/15/2019-FC/PCCF/201
2022

Copy to :

1. Divisional Forest Division, Lunglei Forest Division.
2. Divisional Forest Division, Thenzawl Forest Division.


7/6/2022
Assistant Conservator of Forest (FC)

o/c

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

No. B.22019/20/2019-FC/PCCF/185
To

Dated Aizawl the 8th June, 2022

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

Subj : Violation in connection with the Project 'Construction of Chhiahtlang & Serchhip Bypass (Package 1) on Aizawl - Tuipang section of NH - 54 in the state of Mizoram.

Ref: DFO Thenzawl letter No. B. 13021/1/2021-TFD/144-146 Dt. 31.05.2022

Sir,

With reference to the above subject, I am directed to forward herewith a copy of violation report in connection with the Project 'Construction of Chhiahtlang & Serchhip Bypass (Package 1) on Aizawl - Tuipang section of NH - 54 in the state of Mizoram' received from Divisional Forest Officer, Thenzawl Forest Division vide their letter under reference for information and further action.

The proposal is at present pending at Nodal Officer, due to EDS raised by the IRO, Shillong vide letter No. 3-MZ B 024/2021 -SHI/671-72 dt 03.06.2022. It is requested that IRO, Shillong may be informed about the violation. Further, the Deputy Commissioner, Serchhip and Mizoram Pollution Control Board may also be informed for necessary action from their ends.

Enclo: As above.

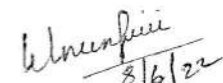
Yours faithfully,


8/6/2022
(MZ SINGSON)

Deputy Conservator of Forest (FC)
Dated Aizawl the 8th June, 2022

Memo No. B.22019/20/2019-FC/PCCF/185
Copy to :

1. Conservator of Forests (SC), Lunglei.
2. Divisional Forest Division, Thenzawl Forest Division.


8/6/22
Assistant Conservator of Forest (FC)

O/L

No.G.20015/2/2021-FST/P.A
GOVERNMENT OF MIZORAM
ENVIRONMENT, FORESTS & CLIMATE CHANGE DEPARTMENT

ANNEXURE R6/9

NOTIFICATIONDated Aizawl, the 10th June, 2022

In the interest of public service and in supersession of this Department's Notification No.G.20015/2/2020-FST dt. 26.10.2020, the Governor of Mizoram is pleased to constitute the following Monitoring Committees to monitor the compliance of environmental laws for the works carried out in various development projects (linear and non-linear):

I. Monitoring Committee for Aizawl District:

1.	Deputy Commissioner, Aizawl	Chairman
2.	Representative of Mizoram Pollution Control Board	Member
3.	Representative of Central Young Mizo Association	Member
4.	Representative of Local Administration Department	Member
5.	Representative of Urban Development & Poverty Alleviation Department.	Member
6.	Divisional Forest Officer, Aizawl Forest Division	Member Secretary

II. Monitoring Committee for Lunglei District:

1.	Deputy Commissioner, Lunglei	Chairman
2.	Representative of Mizoram Pollution Control Board	Member
3.	Representative of Sub-headquarters, Young Mizo Association, Lunglei	Member
4.	Representative of Local Administration Department	Member
5.	Representative of Urban Development & Poverty Alleviation Department.	Member
6.	Divisional Forest Officer, Lunglei Forest Division	Member Secretary

III. Monitoring Committee for Sialha District:

1.	Deputy Commissioner, Sialha	Chairman
2.	Representative of Mizoram Pollution Control Board	Member
3.	Representative of Mara Thyulia Py General Headquarters	Member
4.	Representative of Local Administration Department	Member
5.	Representative of Urban Development & Poverty Alleviation Department.	Member
6.	Deputy Conservator of Forests, Lawngtlai Wildlife Division	Member Secretary

Handwritten signature and date:
20/6/22 (FFC)

Cont...2/-

IV. Monitoring Committee for Champhai District:

1.	Deputy Commissioner, Champhai	Chairman
2.	Representative of Mizoram Pollution Control Board	Member
3.	Representative of Sub-headquarters, Young Mizo Association, Champhai	Member
4.	Representative of Local Administration Department	Member
5.	Representative of Urban Development & Poverty Alleviation Department.	Member
6.	Divisional Forest Officer, Champhai Forest Division	Member Secretary

V. Monitoring Committee for Kolasib District:

1.	Deputy Commissioner, Kolasib	Chairman
2.	Representative of Mizoram Pollution Control Board	Member
3.	Representative of Sub-headquarters, Young Mizo Association, Kolasib	Member
4.	Representative of Local Administration Department	Member
5.	Representative of Urban Development & Poverty Alleviation Department.	Member
6.	Divisional Forest Officer, Kolasib Forest Division	Member Secretary

VI. Monitoring Committee for Serchhip District:

1.	Deputy Commissioner, Serchhip	Chairman
2.	Representative of Mizoram Pollution Control Board	Member
3.	Representative of Sub-headquarters, Young Mizo Association, Serchhip	Member
4.	Representative of Local Administration Department	Member
5.	Representative of Urban Development & Poverty Alleviation Department.	Member
6.	Divisional Forest Officer, Thenzawl Forest Division	Member Secretary

VII. Monitoring Committee for Lawngtlai District:

1.	Deputy Commissioner, Lawngtlai	Chairman
2.	Representative of Mizoram Pollution Control Board	Member
3.	Representative of Central Yeung Lai Association	Member
4.	Representative of Local Administration Department	Member
5.	Representative of Urban Development & Poverty Alleviation Department.	Member
6.	Deputy Conservator Of Forests, Lawngtlai Wildlife Division	Member Secretary

Cont..3/-

VIII. Monitoring Committee for Mamit District:

1.	Deputy Commissioner, Mamit	Chairman
2.	Representative of Mizoram Pollution Control Board	Member
3.	Representative of Sub-headquarters, Young Mizo Association, Mamit	Member
4.	Representative of Local Administration Department	Member
5.	Representative of Urban Development & Poverty Alleviation Department.	Member
6.	Divisional Forest Officer, Mamit Forest Division	Member Secretary

IX. Monitoring Committee for Khawzawl:

1.	Deputy Commissioner, Khawzawl.	Chairman
2.	Representative of Mizoram Pollution Control Board	Member
3.	Representative of Sub-headquarters, Young Mizo Association, Khawzawl	Member
4.	Representative of Local Administration Department	Member
5.	Representative of Urban Development & Poverty Alleviation Department.	Member
6.	Deputy Conservator Of Forests, Khawzawl Wildlife Division	Member Secretary

X. Monitoring Committee for Saitual District:

1.	Deputy Commissioner, Saitual	Chairman
2.	Representative of Mizoram Pollution Control Board	Member
3.	Representative of Sub-headquarters, Young Mizo Association, Saitual	Member
4.	Representative of Local Administration Department	Member
5.	Representative of Urban Development & Poverty Alleviation Department.	Member
6.	Divisional Forest Officer, Aizawl Forest Division.	Member Secretary

XI. Monitoring Committee for Hnahthial District:

1.	Deputy Commissioner, Hnahthial	Chairman
2.	Representative of Mizoram Pollution Control Board	Member
3.	Representative of Sub-headquarters, Young Mizo Association, Hnahthial	Member
4.	Representative of Local Administration Department	Member
5.	Representative of Urban Development & Poverty Alleviation Department.	Member
6.	Divisional Forest Officer, Lunglei Forest Division	Member Secretary

Cont...4/-

The above mentioned Monitoring Committees shall perform the following functions:

1. Any and all matters regarding the safeguard of the environment shall be ensured by the Monitoring Committees for all development projects in their respective districts.
2. They shall ensure that soil banks are identified for dumping of excavated soil from construction works and ensure that the excavated soil are dumped into the identified soil banks.
3. They shall ensure that the soil banks and muck dumping sites are managed and protected in such a manner that no soil excavated for construction projects cause damage and siltation to any land, lakes or rivers.
4. They shall ensure that development projects (linear and non-linear) have all required approvals from the competent authorities before commencement of work.
5. They shall aid Government Officials so that conditions stipulated while according approval, as in point No. 4 above, are fully complied with.

The Committee may invite other persons, officials or non-officials, in the meeting of the Monitoring Committee, as and when required.

Sd/-JITENDRA KUMAR
Principal Secretary to the Govt. of Mizoram,
Environment, Forest & Climate Change Department.

Memo No.G.20015/2/2021-FST/Pt.I

Dated Aizawl, the 10th June, 2022

Copy to :-

1. Secretary to Governor, Mizoram.
2. P.S. to Chief Minister, Mizoram.
3. All Ministers / Ministers of State / Speaker / Deputy Speaker, Mizoram.
4. O.S.D. to Chief Secretary, Government of Mizoram.
5. All Administrative Departments, Government of Mizoram.
6. All Heads of Departments, Government of Mizoram.
7. Principal Chief Conservator of Forests, Mizoram.
8. All members concerned.
9. Controller, Printing & Stationery with a request to publish in the official Gazette (6 spare copies).
10. Web Manager, Environment, Forests & Climate Change Department for uploading in the Department website.
11. Guard File.

(H.C. ZONUNTHARA)

Under Secretary to the Govt. of Mizoram,
Environment, Forests & Climate Change Department.
Ph :- (0389) 2336302 (O)

ANNEXURE R6/11

No.G.20015/29/2020-FST/Pt.II
 GOVERNMENT OF MIZORAM
 ENVIRONMENT, FORESTS & CLIMATE CHANGE DEPARTMENT

NOTIFICATION

Dated Aizawl, the 15th July, 2022.

In the interest of public service, the Governor of Mizoram is pleased to constitute State Level Committee to monitor environmental issues arising from development projects undertaken by NHIDCL in the State of Mizoram, consisting of the following :-

- Chairman - Adviser to Chief Minister (Technical)
- Members -
1. Principal Secretary, GAD
 2. Principal Secretary, EF&CC Department
 3. Secretary, PWD
 4. Secretary, PHED
 5. Engineer-in-Chief, PWD
 6. Engineer-in-Chief, PHED
 7. Member Secretary, Mizoram Pollution Control Board
 8. Executive Director, NHIDCL, Regional Office
 9. Representative of CYMA
 10. Representative of Save Mizoram Rivers.
- Member Secretary - Principal Chief Conservator of Forests, Mizoram

The mandate of this Committee shall be to monitor closely, cases of environmental issues arising out of projects implemented by NHIDCL in addition to monitoring and coordinating the functioning of the various District Monitoring Committees towards compliance of environmental laws constituted by the EF&CC Department, Government of Mizoram. The Committee may co-opt Government officers and functionaries, district / field level officers, local level authorities and NGOs as special invitees as may be considered necessary from time to time. The EF&CC Department shall also provide secretarial and other logistical support to the Committee.

P/S EF&CC
 No. 3389
 Date 18.7.22

Sd/- JITENDRA KUMAR,
 Principal Secretary to the Govt. of Mizoram,
 Environment, Forests & Climate Change Department.

Cont...2/-



एकीकृत क्षेत्रीय कार्यालय
INTEGRATED REGIONAL OFFICE

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
लॉउसीबलुम्बतयेन/LAW-USIB, LUMBATNGEN,

शिलाँग/SHILLONG-793021
TEL. 0364-2537278; FAX. 0364-2536041
E-mail: mogfro.shillong@gov.in

ANNEXURE R6/10

30

No.3-MZ B 024/2021-SHI/1167-68

12th July, 2022

To,

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

Sub: Proposal for diversion of 2.43278 ha 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-reg.

Ref: (i) Letter No. G.20015/2/2021-FST/ dated 01.07.2022 from Govt of Mizoram.

Sir,

With reference to the subject and letter cited above, I am directed to inform that the additional information submitted by the State Govt vide letter dated 01.07.2022 has been examined in this office. On examination of the documents submitted it is observed that there are some more information that are required to be furnished by the State Govt for further processing of the proposal which are as follows:

- 1) The compensatory afforestation Scheme submitted at the cost of Rs.11,02,100/- is for maintenance period of 8 years, whereas as per the guidelines the maintenance period is for 10 years. The same may be re-submitted after revision for 10 years maintenance.
- 2) As per letter dated 08.06.2022 of DCF (FC), Mizoram it has been mentioned that there is violation of FC Act in this proposal. The State Govt may assess the extent of violation and calculate the penalty as per the Forest (Conservation) Act, 1980 Guidelines Para 1.21 (ii), if any of the FC Act along with full details of violation.
- 3) The calculation of Net Present Value is @ 7.30/ha. Hence, NPV may be calculated as per Ministry's latest guidelines dated 6.1.2022.

In view of the above, the State Govt is requested to kindly furnish the same to this office at the earliest for taking further necessary action from this end.

भवदीय,

(Mrs. Lactitia J. Syiemiong)
वन उप महानिरीक्षक (केंद्रीय)/
Deputy Inspector General of Forests(C)

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

वन उपमहानिरीक्षक (केंद्रीय)
Deputy Inspector General of Forests(C)

Copy to:

✓

11/7
OCF(FC)
14/7

DM

MINUTES OF THE MEETING OF THE STATE LEVEL COMMITTEE ON ENVIRONMENT-RELATED ISSUES

A state level Committee has been constituted, vide Notification dated 15.07.2022, to monitor compliance of the environmental laws, while implementing development projects. The first meeting of the Committee was held on 25.07.2022 at 3:00 PM in the Chief Minister's Conference Hall, which was chaired by Adviser to Chief Minister (Technical). List of the participants is at the Annexure.

Adviser (Technical) to Chief Minister welcomed all members of the Committee and invitees in the meeting and highlighted the need for maintaining a clean, green and healthy environment in the State. He, further, highlighted the need for taking all necessary actions to ensure ecological stability, while taking up works of road construction or up-gradation. With his permission, Principal Secretary, Environment, Forest and Climate Change informed that 'the field forest officers have been advised to keep strict vigilance over compliance of the forest and environment-related laws'. He also informed that 'the field forest officers have issued stay-order for road projects, wherever violation under Forest (Conservation) Act, 1980; Mizoram (Forest) Act, 1955; or Environment (Protection) Act, 1986 was observed'. Besides, necessary actions are being taken as per relevant provisions of the Acts in respect of the violations, which have been reported by the field forest officers. The details of violations observed and actions taken were presented by Additional Principal Chief Conservator of Forest and Nodal Officer (Forest Conservation). Thereafter, other members of the Committee and invitees informed the status on the subject and expressed their valuable suggestions for maintaining pollution-free environment through safe disposal of excavated soil and other effective measures.

Aizawl District: The Deputy Commissioner, Aizawl District informed that several letters on environmental issues have been received in her office. A meeting of the District Level Monitoring Committee was held on 24.06.2022 and also, site inspection was carried out on 22.07.2022. She informed that retaining walls for holding the earth spoils were not found at several places. A few dumping sites were observed but without signage. Earth spoils were found dumped haphazardly at several places. She suggested for construction of retaining walls and

P/D OF PCCF
4005



ANNEXURE R6/12

MINUTES OF THE MEETING OF THE STATE LEVEL COMMITTEE ON ENVIRONMENT-RELATED ISSUES

A state level Committee has been constituted, vide Notification dated 15.07.2022, to monitor compliance of the environmental laws, while implementing development projects. The first meeting of the Committee was held on 25.07.2022 at 3:00 PM in the Chief Minister's Conference Hall, which was chaired by Adviser to Chief Minister (Technical). List of the participants is at the Annexure.

Adviser (Technical) to Chief Minister welcomed all members of the Committee and invitees in the meeting and highlighted the need for maintaining a clean, green and healthy environment in the State. He, further, highlighted the need for taking all necessary actions to ensure ecological stability, while taking up works of road construction or up-gradation. With his permission, Principal Secretary, Environment, Forest and Climate Change informed that 'the field forest officers have been advised to keep strict vigilance over compliance of the forest and environment-related laws'. He also informed that 'the field forest officers have issued stay-order for road projects, wherever violation under Forest (Conservation) Act, 1980; Mizoram (Forest) Act, 1955; or Environment (Protection) Act, 1986 was observed'. Besides, necessary actions are being taken as per relevant provisions of the Acts in respect of the violations, which have been reported by the field forest officers. The details of violations observed and actions taken were presented by Additional Principal Chief Conservator of Forest and Nodal Officer (Forest Conservation). Thereafter, other members of the Committee and invitees informed the status on the subject and expressed their valuable suggestions for maintaining pollution-free environment through safe disposal of excavated soil and other effective measures.

Aizawl District: The Deputy Commissioner, Aizawl District informed that several letters on environmental issues have been received in her office. A meeting of the District Level Monitoring Committee was held on 24.06.2022 and also, site inspection was carried out on 22.07.2022. She informed that retaining walls for holding the earth spoils were not found at several places. A few dumping sites were observed but without signage. Earth spoils were found dumped haphazardly at several places. She suggested for construction of retaining walls and

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other structures for safe disposal of excavated soil. She also suggested for disposal of excavated soil only at the sites approved by the competent authority. Further, she suggested for strict monitoring over compliance of environmental laws at various other levels in addition to monitoring being done at the DC level.

Champhai District: The Deputy Commissioner, Champhai District informed that a meeting of the District Level Monitoring Committee was held on 28.06.2022. In pursuance to the decisions taken in that meeting, site inspection was carried out on two stretches of road, namely, Tuipui – Champhai road and Khawkawn – Zokhawthar road. He further informed that in respect of the Tuipui – Champhai stretch of road, gabion walls were constructed to prevent loose soils from entering into the Tuipui River. He suggested to plant indigenous grass species which will help in binding the loose soils. No signage was found at the dumping sites.

In respect of Khawkawn – Zokhawthar stretch of road, it was informed that excavated soils were dumped near the bank of River Tuipui, which has affected the water flow. The dumped soil needs to be removed immediately for maintaining the natural flow of high-quality water in the river.

Saitual District: The Deputy Commissioner, Saitual District informed in the meeting that a review meeting on ongoing up-gradation and widening of NH-06 and NH-102 B was held on 05.05.2022 and site inspection was also conducted on Seling – Dulte road. He informed that several complaints on irregular disposal of earth spoils have been received. He suggested for construction of retaining walls and other slope protection structures. Also, he informed that NHIDCL has been requested to carry out formation cutting as per the approved technical procedure and submit report on actions taken (ATR) on complaints received regarding irregular dumping of earth spoils. Reply from NHIDCL is awaited.

Serchhip District: The representative of Deputy Commissioner, Serchhip informed that complaints have been received from landowners and Mizoram Pollution Control Board (MPCB) regarding improper dumping of earth spoils from the on-going road construction projects of NHIDCL. NHIDCL was also requested to take necessary actions for proper collection and disposal of construction wastes and to submit report on actions taken (ATR). However, no reply

has been received. It was also informed that a meeting of District Level Monitoring Committee was held on 13.06.2022 and site inspection was carried out on 28.06.2022 and again on 12.07.2022. Irregular muck disposal was observed. Adverse effect of the dumped soil on wet rice cultivation near the bank of Mat River was also observed. It was informed that the NHIDCL has been requested to take remedial measures before the next site inspection scheduled during 1st week of September, 2022.

Lunglei District: The representative of Deputy Commissioner, Lunglei District informed that District Quality Monitoring Committee was constituted earlier on 22.12.2021 and the committee conducted spot verification on 08.01.2022. A meeting of the District Level Monitoring Committee was held on 22.06.2022 and 3 (three) verification teams comprising of 4 members each have been formed to inspect the on-going works of widening and improvement of NH-54 and NH-302. Inspection reports are to be submitted by the Verification Teams before 30.07.2022.

Kolasib District: The Divisional Forest Officer, Kolasib informed in the meeting that the forest area involved in construction of Vairengte – Sairang road is about 248.943 ha. and details of the forest area have been shared with NHIDCL and Land Revenue and Settlement Department.

Mizoram Pollution Control Board (MPCB): The Member Secretary, MPCB informed that MPCB has learnt about NHIDCL projects recently, when complaints on indiscriminate disposal of earth spoils were highlighted on social media. NHIDCL replied to a query on the subject stating that Environmental Clearance (EC) was not required for their projects and that the contractors were solely responsible for indiscriminate disposal of earth spoils. MPCB has requested NHIDCL to provide Environmental Management Plans (EMPs). The EMPs have not been received till date.

Save Mizoram Rivers: The representative of 'Save Mizoram Rivers' informed that site visits of the NHIDCL projects were undertaken and it was found that dumping of muck was done at several sites without observing environmental norms. Perennial rivers were found carrying earth spoils which disturbed course of the rivers and the aquatic lives.

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NHIDCL: The Executive Director (ED) of NHIDCL informed that in-principle approval was accorded by the Ministry of Environment, Forest and Climate Change (Integrated Regional Office, Shillong), Government of India for NH-54 (Package-3). However, working permission is still to be accorded. He further informed that NHIDCL has not taken up any work on this road in violation of the Forest (Conservation) Act, 1980.

ED, further, informed that in respect of NH-302 (Lunglei – Tlabung road), work was started after handing over of the land (including forest area of 39.81 ha) by CALA to NHIDCL. Work in the forest area was stopped after receipt of the Stay Order from DFO, Lunglei and DFO, Tlabung.

ED, further, requested the Environment, Forest and Climate Change department to expedite processing of application for forest clearance in respect of Tuivai – Keifang road (NH - 102B), as land for compensatory afforestation has been made available and the required formalities have been completed. The officers of the department informed that the proposal for clearance under Forest (Conservation) Act, 1980 needs to be revised in this case, as some forest areas were left out, which need to be added. As per the guidelines issued by the Ministry on 28.03.2019 for effective and transparent implementation of the provisions of Forest (Conservation) Act, 1980, any proposal for linear projects such as roads, railway line, transmission lines, etc. need to be processed in their entirety (para 11.2 of the guidelines).

Thereafter, detailed deliberations were held and the following recommendations were made:-

1. NHIDCL would ensure compliance of the forest and the environment-related laws, while implementing works of road construction or up-gradation.
(Action: NHIDCL)
2. For NH-54 (Package-3), Divisional Forest Officer, Lunglei Forest Division has reported violation under Forest (Conservation) Act, 1980, whereas NHIDCL has informed 'No Violation'. In view of the conflicting report/information, the District Committees for Lunglei District and Lawngtlai District may verify the status on violation under Forest (Conservation) Act, 1980 and submit their reports to PCCF at the earliest.
(Action: DC, Lunglei and DC, Lawngtlai)

3. In respect of NH-302 (Lunglei – Tlabung road), NHIDCL informed that work was started after handing over of the land (including forest area of 39.81 ha) by CALA to NHIDCL. While referring to the chronological update on PRAGATI review portal, it is mentioned that “balance land comes within the forest area of 39.81 ha which will be handed over to NHIDCL after getting forest clearance and for which online application has been submitted to the concerned Ministry” (copy enclosed). DC, Lunglei may inform the status on handing over the forest area of 39.81 ha. The status may be informed to PCCF at the earliest.
(Action: DC, Lunglei)
4. In respect of Tuivai – Keifang road, NHIDCL has requested to expedite processing of application for forest clearance, as land for compensatory afforestation has been made available and the required formalities have been completed. As per the guidelines, proposal for road projects needs to be processed in their entirety. NHIDCL may inform the rules for processing the proposal in phase-wise manner and not in entirety. In this case, some forest areas were left out, which need to be added.
(Action: NHIDCL)
5. Land Revenue and Settlement (LR&S) Department would provide additional area for Compensatory Afforestation on priority which will facilitate expeditious clearance of the forest areas involved in Tuivai – Keifang road under Forest (Conservation) Act, 1980.
(Action: LR&S Department)
6. The Environment, Forest and Climate Change department would expedite the processing of proposals received from NHIDCL and other User Agencies for clearance under Forest (Conservation) Act, 1980.
(Action: Nodal Officer, Forest Conservation)
7. NHIDCL would take necessary actions, in consultation with the District Level Monitoring Committees, to address damages caused to the environment because of irregular muck disposal and other activities within the next two months.
(Action: NHIDCL)
8. District Level Monitoring Committees, with assistance of MPCB, would assess loss caused to the environment because of irregular muck disposal and other activities for recovery from the polluters. The amount recovered will be utilized for rejuvenation of the ecosystem.
(Action: All DCs)

9. The Environment, Forest and Climate Change Department would take all necessary actions to check illegal felling of trees, when development projects are taken up

(Action: Nodal Officer, Forest Conservation)

10. NHIDCL would provide copies of the Environment Management Plans (EMPs) to Mizoram Pollution Control Board (MPCB).

(Action: NHIDCL)

11. The Ministry of Environment, Forest and Climate Change, Government of India has been requested for advice on requirement of environmental clearance for road projects of NHIDCL. The Environment, Forest and Climate Change Department, Government of Mizoram would pursue the matter with the Ministry for getting advice at the earliest.

(Action: E,F and CC Department)

12. For Vairengte - Sairang road project, as recommended earlier in the meeting held on 27.06.2022 (copy of minutes of the meeting enclosed), GAD would formulate a suitable policy on cases of overlapping of forest areas and revenue lands.

(Action: GAD)

13. The Committee accepted the request of Executive Director, NHIDCL to give him two months' time for taking necessary actions and rectifications on the complaints pointed out during the meeting and it was decided that the 2nd meeting would be held in the month of October, 2022.

(Action: NHIDCL)

The meeting ended with thanks to the Chair and the Participants.

-Sd-

(Er. K. Lalsawmvela)

Adviser to Chief Minister (Technical)

&

Chairman

State Level Committee

Memo No. B.22019/18/2022-FC (PCC)/PT

Dated Aizawl, the 1st July, 2022

Copy to:

1. PS to Chief Minister
2. PS to Adviser (Technical) to Chief Minister, Govt. of Mizoram

2. PPS to Chief Secretary, Govt. of Mizoram
3. All members of the State Level committee
4. All Deputy Commissioners, Mizoram
5. All Divisional Forest Officers.

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11/08/22

(Jitendra Kumar)

Principal Chief Conservator of Forests
&
Member Secretary,
State Level Committee

ANNEXURE R6/13

**GOVERNMENT OF MIZOARAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
THENZAWL FOREST DIVISION: THENZAWL**

No. 13031/1/2021-TFD/620 -621

Dated 09.09.2022

To,

Conservator of Forests (Central Circle)
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/243 Dated 7.9.2022

Sir/Madam,

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-Tuipand section of NH-54 in the State of Mizoram as given below pointwise.

1. For diversion of 2.43278Ha of forest land for construction of Bypass at Chhiahtlang and Serchhip (Package -I) on Aizawl-Tuipang section of of NH-54 in the State of Mizoram, the Project proponent i.e NHIDCL has not yet received even Stage -I approval (IPA) from competent authority till date.
2. However, By pass construction work had started without prior approval; and the DFO, Thenzawl had detected the violation on 24th. October 2020. As a result, DFO, Thenzawl issued Stay Order immediately vide letter No.B.13021/1/2021-TFD Dated 28.10.2020; a copy of which is enclosed at Annexure-I.
3. On 10.11.2020, Serchhip Forest Range field staff seized 125cuft of converted timber from Mr Vanlalrawna, who collected the illegally felled Pine trees from Govt plantation by NHIDCL engaged contractors and converted it into sawn timber. The offense case of illegal felling was compounded with Rs 15000.00(Rupees fifteen thousand) as per the local Forest Act. Copies of Receipt is enclosed herewith.

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P/O OF PCCF
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Date 12-9-22

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4. DFO, Thenzawl once again issued Stay Order to NHIDCL vide letter No.B.13021/1/2021-TFD Dated 11.11.2020; a copy of which is enclosed at Annexure-II.
5. Later on 31.5.2022, DFO Thenzawl once again issued Stay order to NHIDCL vide letter No B.13021/1/2021-TFD/144-146 dated 31.5.2022 (copy enclosed at annexure-III) and as a result, the excavation works has been stopped till date.
6. It may also be mentioned that Serchhip District Monitoring Committee under the Chairmanship of Deputy Commissioner, had visited the project site on 12.07.2022 to ensure that no further excavation works is continued and that no further violations happen in the project area. A copy of the resolutions of the Committee was given to NHIDCL and its engaged contractors vide letter No.B13021/1/2021-TFD/404-414 dated 20.7.2022 (Copy enclosed at Annexure-IV) directing them that they shall comply with all directions given by Serchhip District Monitoring Committee on this matter. The Serchhip District Monitoring Committee tentatively planned to have re-visit of By pass very soon (probably during 2nd week of September) to see that the recommendations of the Committee for remedial /protective measures and other resolutions are fully complied with by NHIDCL/ contractors.
7. Further, DFO Thenzawl had already submitted Report on violation of FCA-1980 in this project package vide No.13031.1.2021-TFD/617 Dated 02.09.2022. A copy of which along with supporting documents will be available at FC Cell, PCCF Office.
8. As of today, all the excavation works has been stopped and no further violation of Forest (Conservation) Act 1980 happen in the project site.

Enclosed: As above

Yours faithfully,


(LALBIAKCHAMA CHAWNGTHU)

Divisional Forest Officer
Thenzawl Forest Division

Dated 09.09.2022

Memo No. 13031/1/2021-TFD/620 -622

Copy to: 1) Addl PCCF & Nodal Officer (FC) Mizoram for kind information and necessary action. This is with reference to his letter No No.B.22019/20/2020-FC/PCCF/243 Dated 7.9.2022.

 9/9/22
Divisional Forest Officer
Thenzawl Forest Division

NoF.20017/2/2022-DFO(L)/ 177-193
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

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ANNEXURE R6/14

Buannel Rûn, Bazar veng, Lunglei
Email : lungleidfo@gmail.com

Dated Lunglei, the 9th September, 2022

To,

✓
The Principal Chief Conservator of Forests
Mizoram, Aizawl

Subject : Action taken report on ' Proposal for diversion of 8.9856 Ha. of forest land for widening and upgradation of NH - 54 to 2 lane with pave shoulder and geometric improvement in the State of Mizoram (Package 2) – Deemed forest area by NHIDCL.

Reference : No.B.22019/15/2022-FC/PCCF/18 dt 3.8.2022

Sir,

As you are aware, there was violation of The Mizoram (Forest) Act, 1955 by felling 69 Nos. of trees from deemed forest area (Govt. Plantation) in the above project (under Lunglei Forest Division – 5.0926 Ha.)

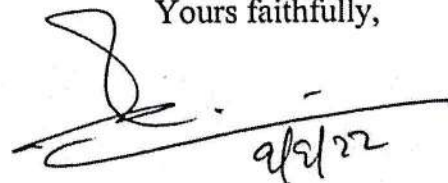
The matter was discussed with the User Agency (NHIDCL). It was stated that violation was purely unintentional because the areas where violation took place were claimed by some individuals. The User Agency further agreed that after all the felled trees are collected / extracted by EF & CC Department, then the difference in the number / volume of timber felled as per EF & CC record and the volume actually extracted / collected, if any, shall be paid by the User Agency. The said difference in number / volume may arise because some of the felled trees might be buried under the earth or lost in one way or the other.

As such, the case was compounded by imposing a fine of Rs 7000.00 (Rupees seven thousand) only. Attempt to extract the felled trees is going on and final report will be submitted as and when the case is settled.

Regarding muck disposal, the matter has been taken up by the District Level Monitoring Committee Constituted by Government of Mizoram vide No.G.20015/2/2021-FST/Pt.I Dt 10.6.2022.

Encl : 1) Compounding order – Annexures 1(a), 1(b) & 1(c)
2) Meeting minutes of District Level Monitoring Committee for Lunglei District. - Annexures 2(a), 2(b) & 2(c)

Yours faithfully,


9/9/22

(PC LALCHHANDAMA)
Divisional Forest Officer

urgent
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ACF (FC)
12/9
D/A

Copy to :

- 1) Conservator of Forests, Southern Circle, Lunglei.
- 2) Range Officer, Hnahthial / Lunglei Forest Range

Divisional Forest Officer

NO. B. 14013/1/2022-DFO(L)/ 171-10
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

ANNEXURE-10
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Buanel Rûn, Bazar veng, Lunglei
Email : lungleidfo@gmail.com

Dated Lunglei, the 9th September, 2022

OFFICE ORDER No. 14 OF 2022 - 2023

Whereas there was felling of trees at Government Plantations within the project areas '*Widening and upgradation of NH - 54 to 2-lane with pave shoulder and geometric improvements in the state of Mizoram (Package - 2, 8.9856 Ha. out of which 5.0926 Ha. is under Lunglei Forest Division) by NHIDCL*'.

Whereas it was revealed that felling was done by contractors under NHIDCL while carrying out the said project. As per the statement of the accused, work was started in October 2019 and trees were felled because the areas were claimed by some individuals.

And whereas the accused promised that all the felled timbers will be extracted and after extracting all the timbers which can be extracted, the difference in number / volume of felled trees and number / volume of trees extracted, if any, will be paid within 45 days from the date of issue of this order. As per the initial enumeration, there were 69 trees to be felled with total volume of 10.45085 Cum (List enclosed)

Now, therefore, the undersigned, in exercise of the power conferred under Section 29 B of the Mizoram (Forest) Act, 1955 decided to compound the case on payment of Rs 7000.00. The compounding fee should be paid within one week from the date of issue of this letter.

Sd/- PC LALCHHANDAMA
Divisional Forest Officer

Copy to :

- 1) The Range Officer, Hnahthial Forest Range for kind information and necessary action.
- 2) General Manager (P), NHIDCL, PMU - Lunglei for kind information and necessary action.


9/9/22

Divisional Forest Officer

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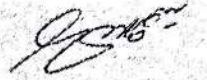
STATEMENT OF THE ACCUSED

The land where violation of the Mizoram (Forest) Act, 1955 and the forest (Conservation) Act, 1980 took place under Deemed forest area of Hnathail Forest Range (Package-2, Km 125.00 to Km 250) and the Environment Forest & Climate Change Department claimed it as government plantation but there are private people having land passes and the same land has been handed over to NHIDCL by CALA and further handed over to EPC Contractor for carrying out construction activities. Violation has taken place while executing works for 'Widening and up-gradation to 2-lanes with paved shoulder and geometric improvements from Km 166.000 to km 208.000 (Package-4) on Aizawl-Tuipang section of NH54 in the state of Mizoram on EPC mode with JICA loan assistance'.

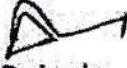
Work has been started by the contractor since 25 Oct 2019 and some trees were felled in the said location, after having the consent of the land pass holders.

There was no intension to violate any rules/laws. The reason of violation was due to the confusion as to whom the land and crops belong to because there are private people with land passes claiming as their land while EF&CC Department also claimed it as government Plantation. It is requested to take a lenient view as the area is already included as forest area and in principle approval of forest clearance already received.

Some of the felled/uprooted trees are buried under the excavated soil. So, after extracting all the timber which can be extracted, then the difference in number/volume of trees felled and number/volume of trees extracted, if any will be paid to Environment Forest & Climate Change Department by EPC contractor within 45days.


Prafulla Borgaoin
General Manager, ABCI
Hnathail Camp

Counter Signed


SG Dwivedy
General Manager (P)
NHIDCL, PMU-Lunglei
General Manager (P)
NHIDCL
PMU - Lunglei, Mizoram

ANNEXURE - 1(b)

STATEMENT OF THE ACCUSED

The land where violation of the Mizoram (Forest) Act, 1955 and the forest (Conservation) Act, 1980 took place under Deemed forest area of Lunglei Forest Range (Package-2, Km 125.00 to Km 250) and the Environment Forest & Climate Change Department claimed it as government plantation but there are private people having land passes and the same land has been handed over to NHIDCL by CALA and further handed over to EPC Contractor for carrying out construction activities. Violation has taken place while executing works for 'Widening and up-gradation to 2-lanes with paved shoulder and geometric improvements from Km 208.000 to km 250.000 (Package-5) on Aizawl-Tuipang section of NH54 in the state of Mizoram on EPC mode with JICA loan assistance'.

Work has been started by the contractor since 25 Oct 2019 and some trees were felled in the said location, after having the consent of the land pass holders.

There was no intension to violate any rules/laws. The reason of violation was due to the confusion as to whom the land and crops belong to because there are private people with land passes claiming as their land while EF&CC Department also claimed it as government Plantation. It is requested to take a lenient view as the area is already included as forest area and in principle approval of forest clearance already received.

Some of the felled/uprooted trees are buried under the excavated soil. So, after extracting all the timber which can be extracted, then the difference in number/volume of trees felled and number/volume of trees extracted, if any will be paid to Environment Forest & Climate Change Department by EPC contractor within 45days.



Amarjet Singh
Project Manager, ABCI
Hrangchawkawn Camp

Counter Signed

SG Dwivedy
General Manager (P)
NHIDCL, PMU-Lunglei
General Manager (P)
NHIDCL
PMU - Lunglei, Mizoram

List of trees felled while carrying out the project 'widening & upgradation to 2 - lane paved shoulder configuration and geometric improvements from km 8.00 to Km 380.00 on Aizawl - Tuipang section of NH - 54 in the state of Mizoram (Package - 2) Lunglei Forest Division.

SI No	Name of Trees (species)	Girth at breast length (In cm)	Length (m)	Volume (Cu. m)	Floor price (In Rs)
1	2	3	4	5	6
1	Thlanvawng (<i>Gmelina arborea</i>)	47	3	0.0414	256
2		65	4	0.1056	625
3		50	4	0.0625	386
4		63	4	0.0992	613
5		48	3	0.0432	267
6		51	4	0.0650	402
7		53	4	0.0702	434
8		49	3	0.0450	278
9		52	4	0.0676	418
10		53	4	0.070	432
11		55	4	0.0756	467
12		55	4	0.0756	467
13		46	3	0.0396	245
14		47	3	0.0414	256
15		48	3	0.0432	267
16		51	3	0.0487	301
17		47	3	0.0414	256
18		46	3	0.0396	245
19		51	3	0.0487	301
20		53	3	0.0526	325
21		49	3	0.0450	278
22		45	3	0.0379	234
23		84	5	0.2205	1362
24		104	5	0.3380	2088
25		97	5	0.2940	1816
26		45	2	0.0253	156
27		56	2	0.0392	242
28		86	4	0.1849	1142
29		81	2	0.0820	507
30		71	3	0.0945	584
31		38	3	0.0270	169
32		39	3	0.0285	176
33		110	4	0.3025	1869
34		120	3	0.2700	2859
35		110	4	0.3025	1869
36		120	4	0.3600	3812
37		130	3	0.3168	3355
38		120	4	0.3600	3812
39		80	4	0.1600	988
40		90	5	0.2531	1564
41		120	3	0.2700	2859
42		150	4	0.5625	5957
Sub Total				5.7503	44939

SI No	Name of Trees (species)	Girth at breast length (In cm)	Length (m)	Volume (Cu.m)	Floor price (In Rs)
1	2	3	4	5	6
43	Vang (<i>Albizzia chinensis</i>)	63	4	0.0992	483
44		68	4	0.1156	563
45		98	4	0.2401	1170
46		83	4	0.1722	839
47		103	5	0.3315	1615
Sub Total				0.9856	4670
48	Fartuah (<i>Erithnia varieties</i>)	63	5	0.1240	604
Sub Total				0.1240	604
49	Khiang (<i>Schima wallichii</i>)	60	3	0.0675	357
50		63	4	0.0992	525
51		65	4	0.1056	559
52		62	3	0.0720	381
Sub Total				0.3343	1822
53	Zairum (<i>Arogeisus acuminate</i>)	64	4	0.1024	499
54		39	3	0.0285	139
55		41	3	0.0315	153
56		31	3	0.0180	88
57		55	3	0.0567	276
Sub Total				0.2371	1155
58	Thingdawl (<i>Tetrameles nudiflora</i>)	110	6	0.4537	2210
Sub Total				0.4537	2210
59	Tei (<i>Toonna ciliata</i>)	64	4	0.1024	633
60		74	4	0.1369	846
Sub Total				0.2393	1479
61	Tukloh sehsawr (<i>Lancia coromandelica</i>)	79	4	0.1560	760
Sub Total				0.1560	760
62	Teak (<i>Tectona grandis</i>)	140	5	0.6125	1514
63		80	2	0.0800	1412
64		70	2	0.06125	1081
65		110	5	0.3781	8343
66		92	5	0.2645	5836
67		80	4	0.1600	2824
68		90	5	0.2531	5584
69		110	5	0.3781	8342
Sub Total				2.18755	34936
Grand Total				10.45085	92575

(Rupees ninety two thousand five hundred seventy five only)

Floor price is calculated based on the latest notification Vide No.B.11029/1/2003 – FST. Date 15.5.2020.



Divisional Forest Officer
Lunglei Forest Division

ANNEXURE R6/15

**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/ 678-679 Dated Thenzawl, the 14th. 09. 2022
To,

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

Subject: Proposal for diversion of 8.9856 Ha of forest land for widening and up-gradation of NH-54 to 2-lane with paved shoulder and geometric improvements in the State of Mizoram (Package -2) Deemed forest area by NHIDCL –reg

Refn. : No.B.21019/15/2022-FC/PCCF/128 Dated 12.Sept, 2022

Sir,

With reference to the subject mentioned above, I am to submit herewith Action Taken Report (ATR) on violation of Forest (Conservation) Act 1980 while executing the project involving Diversion of 8.9856 Ha of forest land for widening and up-gradation of NH-54 to 2-lane with paved shoulder and geometric improvements in the State of Mizoram (Package -2) Deemed forest area by NHIDCL as given below point-wise.

1. The execution of road project involving diversion of 8.9856 Ha of forest land for widening and up-gradation of NH-54 to 2-lane with paved shoulder and geometric improvements in the State of Mizoram(Package -2) Deemed forest area was started by the User Agency (NHIDCL) prior to obtaining "In Principle Approval" from Govt of India.
2. As soon as the violation is detected by DFO, Thenzawl, Stay Order was issued vide letter No.B.13021/1/2021-TFD/147-149 Dated 31.5.2022; a copy of which is enclosed at Annexure-I.
3. Consequent upon issuance of Stay Order by DFO Thenzawl, all the excavation works along the project site (Package -2) has been stopped.
4. In the meantime, the User Agency (NHIDCL) received IPA for this particular road project (Package-2) on 14th, June, 2022 from Govt of India. However, the construction works was not allowed to continue and remain stopped due violation of Muck Disposal Plan (and hence FCA-1980) in the form of improper spoil disposal at various designated Spoil Banks and other locations leading to environmental damages.

13/9
ACCF (FC)
whf
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whf

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5. The damage on forest land took place at three (3) locations due to irregular muck disposal which destroyed the plantations/ vegetations in the downhill side of road alignment due to submergence of land by spoil. The total damage area at three locations is estimated to be 5.00 Ha (2.0Ha+1.5Ha+1.5Ha).
6. Further, the Serchhip District Monitoring Committee under the Chairmanship of Deputy Commissioner had visited the project site on 12.07.2022 to ensure that no further excavation works is continued and that no further violations happen in the project area. A copy of the resolutions of the Committee was given to NHIDCL and its engaged contractors vide letter No.B13021/1/2021-TFD/404-414 dated 20.7.2022 (Copy enclosed at Annexure-II) directing that they shall comply with all the resolutions/ directions of Serchhip District Monitoring Committee on this matter. The Serchhip District Monitoring Committee tentatively planned to have a re-visit the project site of Package-2 to check and ensure the recommendations of the Committee for remedial /protective measures are fully complied with by NHIDCL/ contractors.
7. As of today, all the excavation works has been stopped and no further violation of Forest (Conservation) Act 1980 happens in the project site.

Enclosed: As above

Yours faithfully,


(LALBIAKCHAMA CHAWNGTHU)

Divisional Forest Officer
Thenzawl Forest Division

Memo No. 13031/1/2021-TFD/

Dated 14th.09.2022

Copy to: 1) Conservator of Forests (Central Circle) for kind information.

Divisional Forest Officer
Thenzawl Forest Division

Annexure-I

(167)

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



No.B.13021/1/2021-TFD/ 147-149
To,

email id: thenzawlforest@gmail.com
Dated Thenzawl, the 31st May, 2022 .

The General Manger (Projects)
NHIDCL
PMU-Lunglei, 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	Approximate damaged area (in Ha)
1	Herhse kawn (1989 Gomari Plantation, Rawpui VC area)	23° 06' 43.75" N 92° 53' 27.92" E	2.0
2	Dapzarkawn (2003 VFDC Plantation, Pangzawl VC area)	23° 06' 35.06" N 92° 53' 25.83" E	1.5
3	Dapzar ram (2003 VFDC Bamboo Plantation, Pangzawl VC area)	23° 06' 29.72" N 92° 53' 37.29" E	1.5

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

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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 21.11.2020 is the clear violation of Forest Conservation Act-1980. You are hereby informed to immediately stop further irregular muck disposal and take any appropriate remedial measures to restore the extensive environmental damages caused by you due to such irregular muck disposal. 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 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). However, NHIDCL had initiated execution of works in the field (forest areas) without Stage I approval (IPA) which is again gross violation of Forest Conservation Act 1980.

Therefore, you are hereby instructed 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

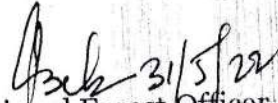
Yours faithfully,


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

Memo No.B.13021/1/2021-TFD/147-149 Dated Thenzawl, the 31st May, 2022

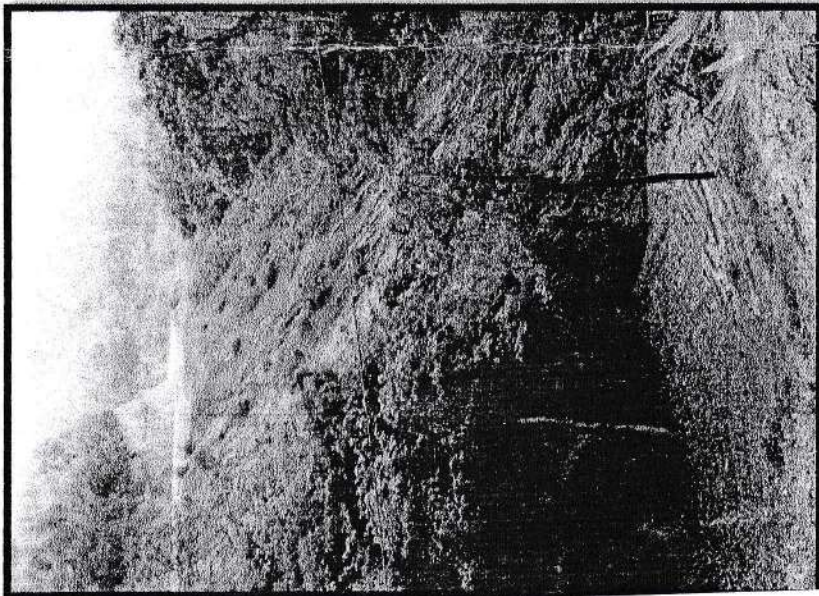
Copy to:

- 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.

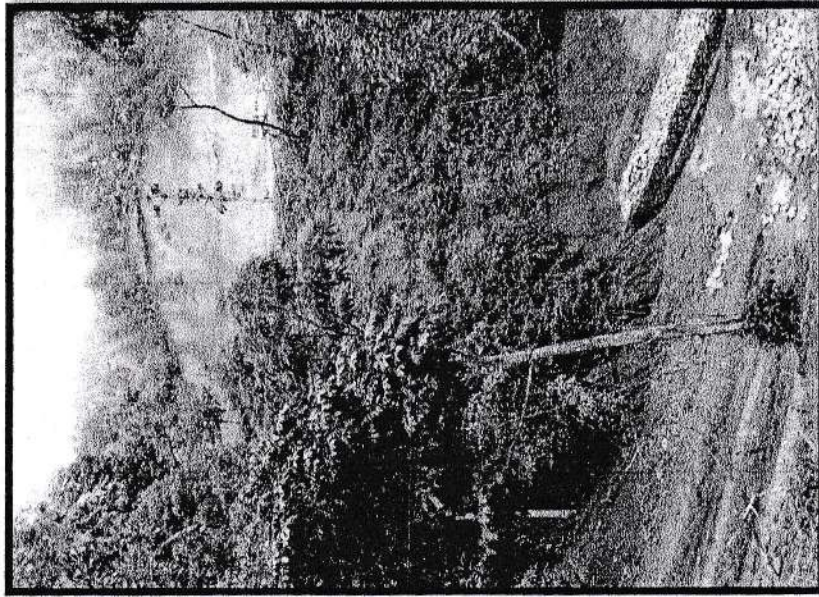

Divisional Forest Officer
Thenzawl Forest Division
Thenzawl: Mizoram

PHOTOS SHOWING VIOLATION OF MUCK DISPOSAL PLAN BY NHIDCL IN NH-54 ROAD (PACKAGE-3)

Location-1:



Location-2:



Location-3:





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



ANNEXURE R6/16

No.3-MZ C/059/2020-SHI/ 2022 -23

14th October, 2022

To,

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

Sub: Proposal for diversion of 8.9856 ha of forest land for widening and upgradation of NH-54 to 2-lane with paved shoulder and geometric improvements in the State of Mizoram ((Package-2)-Deemed Forest area by NHIDCL.

Ref: Letter No No. G.20015/2/2021-FST dated 26.09.2022 from Forest Department, Govt of Mizoram.

Sir,

With reference to the subject and letter cited above, I am directed to inform that the request of the State Govt vide letter dated 26.09.2022 under reference above has been examined in this office. On this matter, the demand note from the User Agency in respect to the compliance of the conditions imposed in the In-principle approval dated 14.06.2022 may be raised by incorporating the penalty for the violation committed by User Agency as it will be cumulative report required to be submitted for seeking Stage-II approval. -1C

This is for submitted for your kind information and for taking further necessary action.

भवदीय,

(Mrs. L.J.Syiemiong)

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

Copy to:

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

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

P/B OF PCCE

Receipt No. 6127
Date 17-10-22

17/10
Sep (FC)

17/10
AC F (FC)

18/10

DA

NoF.20017/2/2021 DFO(L)/ 212-215

GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION **ANNEXURE R6/17**
LUNGLEI : MIZORAM

Buannel Rûn, Bazar veng, Lunglei
Email : lungleidfo@gmail.com

Dated Lunglei, the 10th October, 2022

for info pls.

To, ~~APCCF (FC)~~

✓ The Principal Chief Conservator of Forests
Mizoram, Aizawl

Subject : **Action taken report on ' Proposal for diversion of 4.3629 Ha. of forest land for widening and upgradation of NH - 54 to 2 lane with pave shoulder and geometric improvement in the State of Mizoram (Package 3) – Deemed forest area by NHIDCL.**

Reference : No.B.22019/14/2021-FC/PCCF/140 dt 3.102022

Sir,

Referring the above, I have the honour to furnish the required informations as follows :

1. Violation (Felling, earth cutting) was started during December, 2019.
2. Regarding violation inside forest areas, the case was compounded on payment of Rs 3000.00 (Rupees three thousand only) on condition that all the felled trees (25Nos, 4.8385 cum) should be recovered by the User Agency.
3. Regarding disposal of muck, there are no muck disposal inside forest areas although some earth cuttings and felling of trees were from forest areas.

It may also be noted that out of 4.3629 Ha. of forest areas, only 0.5329 Ha. is under Lunglei Forest Division and the rest 3.83 Ha. is under LADC Forest Department.

Encl : As above

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

- 1) Conservator of Forests, Southern Circle, Lunglei, Mizoram for kind information.

P/B OF PC CF
Receipt No ... 5994
Date ... 12-10-22

Divisional Forest Officer

12/10
17/10
APCCF (FC)
17/10

1619
No.B.14015/1/2022-DFO(L)/154-156
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

BUANNEL RUN, Bazar veng, Lunglei
Email : lungleidfo@gmail.com

Dated Lunglei, the 9th September, 2022

OFFICE ORDER No. 13 OF 2022 – 2023

Whereas there was felling of trees at Government Plantations within the project areas '*Widening and upgradation of NH – 54 to 2-lane with pave shoulder and geometric improvements in the state of Mizoram (Package – 3 - 4.3629 Ha. out of which 0.5329 Ha. is under Lunglei Forest Division) by NHIDCL*'.

Whereas it was revealed that felling was done by contractors under NHIDCL while carrying out the said project. As per the statement of the accused, work was started in December 2019 and trees were felled because the areas were claimed by some individuals.

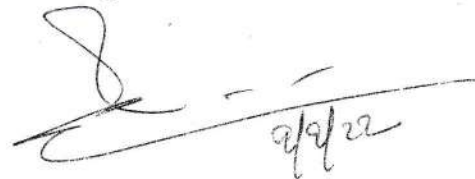
And whereas the accused promised that all the felled timbers will be extracted and after extracting all the timbers which can be extracted, the difference in number / volume of felled trees and number / volume of trees extracted, if any, will be paid within 45 days from the date of issue of this order. As per the initial enumeration, there were 25 trees to be felled with total volume of 4.8385 Cum (List enclosed)

Now, therefore, the undersigned, in exercise of the power conferred under Section 29 B of the Mizoram (Forest) Act, 1955 decided to compound the case on payment of Rs 3000.00. The compounding fee should be paid within one week from the date of issue of this letter.

Sd/- PC LALCHHANDAMA
Divisional Forest Officer

Copy to :

- 1) The Range Officer, Tawipui Forest Range for kind information and necessary action.
- 2) General Manager (P), NHIDCL, PMU – Lunglei for kind information and necessary action.



Divisional Forest Officer

OLC

STATEMENT OF THE ACCUSED

The land where violation of the Mizoram (Forest) Act, 1955 and the forest (Conservation) Act, 1980 took place under deemed forest area of Tawpui Forest Range (Package-3, Km 250.00 to Km 380) and the Environment Forest & Climate Change Department claimed it as government plantation but there are private people having land passes and the same land has been handed over to NHIDCL by CALA and further handed over to EPC Contractor for carrying out construction activities. Violation has taken place while executing works for 'Widening and up-gradation to 2-lanes with paved shoulder and geometric improvements from Km 250.000 to km 278.000 (Package-6) on Aizawl-Tuipang section of NH54 in the state of Mizoram on EPC mode with JICA loan assistance'.

Work has been started by the contractor since 16 Dec 2019 and some trees were felled in the said location, after having the consent of the land pass holders.

There was no intension to violate any rules/laws. The reason of violation was due to the confusion as to whom the land and crops belong to because there are private people with land passes claiming as their land while EF&CC Department also claimed it as government Plantation. It is requested to take a lenient view as the area is already included as deemed forest area and in principle approval of forest clearance already received.

Some of the felled/uprooted trees are buried under the excavated soil. So, after extracting all the timber which can be extracted, then the difference in number/volume of trees felled and number/volume of trees extracted, if any will be paid to Environment Forest & Climate Change Department by EPC contractor within 45days.

Kulites
09/09/22
for Kumar Prashant
Project Manager, ABCI
Old BRTF Camp
Tawpui North-I

Pranab Sinha
Pranab Sinha
Genegal Manager (P)
NHIDCL, PMU-Lawngtalai

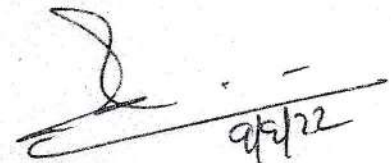
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List of trees felled while carrying out the project widening & upgradation to 2 – lane paved shoulder configuration and geometric improvements from km 8.00 to Km 380.00 on Aizawl - Tuipang section of NH – 54 in the state of Mizoram (Package – 3) Lunglei Forest Division.

Sl No	Name of Trees (species)	Girth at breast height (In cm)	Length (m)	Volume (Cu.m)	Floor price (In Rs)
1	2	3	4	5	6
1	Thlanvawng (<i>Gmelina arborea</i>)	70	4	0.1225	757
2		82	4	0.1681	1039
3		62	3	0.0720	445
4		80	5	0.0200	124
5		53	3	0.0526	325
6		79	5	0.1950	1205
7		174	5	0.9461	10019
8		161	4	0.6480	6862
9		69	3	0.0892	551
10		120	4	0.360	3812
11		83	4	0.1722	1046
Sub Total				2.8457	26,185
12	Zuang (<i>Duabanga gradiflora</i>)	68	5	0.1445	765
13		66	5	0.1361	721
Sub Total				0.2806	1486
14	Khang (<i>Schima wallichii</i>)	58	4	0.0841	445
15		82	4	0.1681	890
16		88	5	0.2420	1281
17		78	5	0.1901	1007
18		87	5	0.2365	1252
19		58	4	0.0841	445
Sub Total				1.0048	5320
20	Fartuah (<i>Erithnia varieties</i>)	54	4	0.0729	355
Sub Total				0.0729	355
21	Thingkha (<i>Derris robusta</i>)	42	3	0.0330	161
Sub Total				0.0330	161
22	Vang (<i>Albizzia chinensis</i>)	96	5	0.2880	1403
Sub Total				0.2880	1403
23	Thalteh (<i>Kydia calycina</i>)	58	3	0.0630	307
Sub Total				0.0630	307
24	Tukloh sehsawr (<i>Lancia coromandelica</i>)	56	3	0.1060	516
25		76	4	0.1444	703
Sub Total				0.2504	1219
Grand Total				4.8385	36,436

(Rupees thirty six thousand four hundred thirty six only)

Floor price is calculated based on the latest notification Vide No.B.11029/1/2003 FST - Date 15.5.2020



Divisional Forest Officer
Lunglei Forest Division

1622
GOVERNMENT OF MIZORAM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS
DEPARTMENT OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
MIZORAM::AIZAWL

No. B.22019/14/2021-FC/PCCF/171

Dated Aizawl the 21st February, 2023

To,

Executive Director (P)
 NHIDCL
 RO - Aizawl, Tuikhuahtlang.

Subj: Proposal for diversion of 4.3629 ha of forest land for Widening & Upgradation of NH 54 Package 3 Deemed Forest on Aizawl - Tuipang section of NH 54 in the State of Mizoram.

Sir,

With reference to the subject quoted above, I am directed to forward herewith a copy of letter received from DFO, Lunglei regarding the extent of area of violation and No. of years of violation for the project proposal for diversion of 4.3629 ha of forest land for Widening & Upgradation of NH 54 (Package 3 deemed forest). The penal NPV under Lunglei Forest Division has been calculated as follows:

Violated area (in ha)	NPV rate (in Rs)	Amount (in Rs)	Violation years	Penal NPV amount x 20 % (in Rs)
0.5329	11,16,900.00	5,95,196.00	1	1,19,039.00

This is for information and payment of Penal NPV through PARIVESH.

Yours faithfully


 (MZ SINGSON)

Deputy Conservator of Forests (FC)
 Dated Aizawl the February, 2023

No. B.22019/14/2021-FC/PCCF/
 Copy to:

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


 Assistant Conservator of Forest (FC)

o/c

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समृद्धिम् कुरुष्वामहे
ONE EARTH - ONE FAMILY - ONE FUTURE

ANNEXURE R6/18

Azadi Ka
Amrit Mahotsav



BHARATMALA
ROAD TO PROSPERITY



A GOVT. OF INDIA UNDERTAKING

No. NHIDCL/RO-Aizawl/Forest/2023/206

Date: 12.06.2023

To,

The Nodal Officer/APCCF,
MoEF&CC Department,
Govt. of Mizoram

For ya pls

Subject: Payment of Penal NPV in respect of Construction of 2-laning with hard shoulder configuration of NH-2 (Old NH-54) from Aizawl-Tuipang section of NH- 2 (Pkg-3) in Mizoram under Bharatmala Pariyojna on EPC mode- **Payment of penal NPV to Forest Department.**

Am
12/6

Ref:

i)No.B.22019/14/2021-FC/PCCF/171, Dtd.21.02.2023.

Sir,

With reference to above referenced letter no. (i) this office paid the Penal NPV of Rs.1,19,039/- through challan which was approved by your good office through application no.6143625843 to Centralized CAMPA Acc. on 22.05.2023 (copy of challan attached).

2.The NPV, CA, AP was paid on 02.06.2022.

3.It is requested your goodself to process the file for the land of 4.3629Ha of land for approval of Stage-II from IRO Shillong. This is for your information and necessary action please.

Encl:As above.

(Paleti Brahmanandam)
GM (LA & Coord)

Copy to:

- i)The Principle Secretary, MoEF&CC Dept., Govt. of Mizoram.
- ii)Under Secy. to the Govt. of Mizoram, MoEF&CC for information.
- iii)DCF, CAMPA, MoEF&CC Dept. Govt. of Mizoram for information and necessary action.
- iv)GM(P), PMU-Lawngtlai for information and necessary action.
- v)Guard File.

APCCF (FC)
12/6

12/6/23

12/6/23

P/B OF PCCF
Receipt No. 2213
Date 12.6.23

**MINUTES OF THE MEETING OF STATE LEVEL COMMITTEE HELD ON 21.12.2022 TO
MONITOR ENVIRONMENTAL ISSUES ARISING FROM DEVELOPMENTAL PROJECTS
UNDERTAKEN BY NHIDCL IN THE STATE OF MIZORAM**

The 2nd meeting of the State Level Committee constituted vide Notification No. G.20015/29/2020-FST/Pt.II dated 15.07.2022, to monitor environmental issues arising out of projects implemented by NHIDCL in the State of Mizoram besides monitoring and coordinating the functioning of various District Monitoring Committees constituted for the purpose towards compliance of the environmental laws was held on 21.12.2022 at 12:00 PM at Chief Minister's Conference Hall. The meeting was chaired by the Adviser to the Chief Minister (Technical). The list of participants is appended as Annexure-I.

The Adviser (Technical) to Chief Minister welcomed all the participants and informed that pursuant to the directions given by the Committee in its last meeting held on 25.07.2022 wherein NHIDCL was directed to undertake rectification exercises to address damages caused to the environment because of irregular muck disposal and other activities and was required to place before the committee action taken by it in two months' time and thus the second meeting of the SLC was scheduled to be held in October, 2022, but was postponed to December, 2022 on the request of NHIDCL as rectification works/actions could not be undertaken by them during the monsoon season.

The Executive Director, Regional Office of NHIDCL, gave a detailed presentation on corrective measures undertaken by them in different sections of the roads being constructed by them to address muck dumping, control of muck rolling downhill, support to uphill and downhill side during cutting / widening of the road and other such steps taken to avoid / control damage especially to the rivers. Thereafter, discussion ensued wherein various members of the Committee shared their critical observations on the works undertaken by NHIDCL and the damages that have caused to the environment.

Mizoram Pollution Control Board (MPCB):- The scientist representative of MPCB reported that as member of the District Level Committee, it has carried out several inspections of sites in different districts on various reports of environmental damages caused during the implementation of various projects of NHIDCL. She apprised the committee that during the

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ground verification, it was observed that the corrective engineering and vegetative measures taken on the damages already caused were executed quite late, hence were ineffective to address/ reverse damages already undertaken. She further informed that since NHIDCL did not apply for any environmental clearance, hence, it had become difficult to assess the damage caused as prescribed by the Hon'ble NGT. The representative from NHIDCL informed that the environmental clearance was not sought as the projects specifications did not mandated so. The Chairman took exception of the view taken by NHIDCL and instructed that the project should have been taken in its entirety and not phase-wise or stretch-wise to circumvent the rules that require NHIDCL to take environmental clearance. The representative to MPCB further informed that the assessment of the damages has been attempted and for that duration of violation (in years) are being collected from DFOs concerned where violation has taken place. She pointed out that additional assistance of an Expert Institution would help in more accurate assessment of the environmental damages caused.

Save Mizoram Rivers:- The representative of Save Mizoram Rivers informed that damages to environment have already been caused by the construction activities of NHIDCL and that several stretches of the rivers have been polluted due to muck rolling down the hills and into the river where no required structures were put by NHIDCL to prevent the same. Hence, NHIDCL is required to be more careful in the future and all the required measures should be taken either before or during construction phase to prevent environmental damage.

Central YMA:- The Vice President of CYMA suggested that construction of gabion walls, toe walls, and other engineering interventions should be constructed at the spoil banks before dumping of soil. He further reported that on inspection of some spoil banks, trees planted by NHIDCL were done just for namesake, hence in the coming rainy season, it is feared that the muck dumped would not have been stabilized and hence could cause environmental damage at that time in the form of land slips into the adjacent low lying land and rivers.

ASEP:- The representative of ASEP suggested that before undertaking any construction activity, NHIDCL may have a joint meeting with the local NGOs, VCs and the other stakeholders to inform them about the proposed activities so that the local people are aware and are able to participate in preventing in any environmental damage that may happen. He further suggested

Amey N.

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that spoil banks should be inspected before dumping of muck. Carrying capacity of the spoil banks as well as the construction of gabions, etc. should be assessed and done before the start of work. The Executive Director, NHIDCL stated that no further violation has taken place since work started after CALA / DC handed over the land to them. He also assured that construction of gabions etc. and meetings with the local NGOs will be conducted before the start of work in future.

The reports received from various District Monitoring Committee were enunciated before the State Monitoring Committee which revealed that irregular muck disposal had taken place in various districts during execution of road construction works. Thus, the committee recommended that joint field verification may be carried out to ascertain disposal of muck at designated spoil banks and also execution of corrective measures to prevent environmental damages.

The meeting ended with vote of thanks from the Chief Wildlife Warden.

Sd/-
Er. K. LALSAWMVELA
Adviser to Chief Minister (Technical)
&
Chairman
State Level Committee

Dated Aizawl the 18th January, 2023

Memo No. B.22019/18/2022-FC(PCCF)/Pt

Copy to :

1. PS to Chief Minister of Mizoram.
2. PS to Adviser (Technical) to Chief Minister, Govt. of Mizoram
3. PPS to Chief Secretary, Govt. of Mizoram
4. All members of the State Level Committee
5. All Deputy Commissioners, Mizoram
6. All Divisional Forest Officers


(R.K. SINGH)
Principal Chief Conservator of Forests
&
Member Secretary,
State Level Committee

LIST OF PARTICIPANTS
Meeting Held At Chief Minister's Conference Hall,
Chief Minister's Office, McDonald Hill, Zarkawt, Aizawl
Dated, Aizawl the 21st December, 2022

Sl.No.	Name	Designation	Phone No.	Signature
1.	K. Lalsawmvela	Adviser to CM (Tech)	9436141640	On the Chair
2.	K. L. Phamunawia	Secy, GAD/PWD	9436140653	
3.	R. K. Singh	DCCF (H&FF)	9871754998	
4.	KAMAL PREET	APCCF	941254232	
5.	VIRENDRA JAICHAR	ED, NHIDCL	9996016545	
6.	PALESI BRAHMANANDAM	GM (LA)	9889971777	
7.	BINOD K. SRIVASTAVA	GM (P) Seling	9868262277	
8.	RAHUL JAJORIA	DM (P) NHIDCL	8989896357	
9.	Dr. LALRAMNGHAKI PACHUATI	SCIENTIST 'C' MPCB	9436146946	
10.	M. Z. Singkon	DCF (FC)	9436154745	
11.	Laltlanhua Zalthang	DFO, Aizawl	9436195286	
12.	Vanlalchhuana	SE, PWD	9436142162	
13.	Deepak Singh	System Engineer	7976707189	
14.	Prof. H. Lalthanzara	SMR	7005902282	
15.	Vanneithanga	SMR	7615949012	
16.	Lalthachhuana	V/P CPM	9436151804	
17.	Lalthanzara Ralte	D/Secy, PHE	9862560139	 21/12/22
18.	Anup Chelley	CE, PHE	9436147217	
19.	F. Keintluanga	CE, PHE	9436143109	
20.	Lalsammauri Sulo	CIOLW	9436150119	
21.				

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MINUTES OF THE MEETING OF MONITORING COMMITTEE TO MONITOR THE
COMPLIANCE OF ENVIRONMENTAL LAWS FOR WORKS CARRIED OUT IN
VARIOUS DEVELOPMENT PROJECTS (LINEAR AND NON-LINEAR)
IN RESPECT OF LUNGLEI DISTRICT

ANNEXURE R6/20

Date & Time : 22nd June, 2022 @ 1:00PM
Venue : DC's Conference Hall, Lunglei

The meeting was chaired by Pu Kulothungan A, DC & Chairman of the committee. At the outset, the chairman welcomed all the members & invitees and explained the terms of reference of the committee. He further emphasized that the safety of our environment should not be compromised at the cost of development, and requested NHIDCL / Contractors to be cautious while carrying out works.

Pu PC Lalchhandama, DFO, Lunglei & Member Secretary explained that the current environmental issue is dumping of muck. He stated that most of the current problems due to road construction along NH 54 & NH 302 are due to negligence of environmental norms and various advisories made by the concerned authorities / Department / NGOs and hence, stay order was issued with a request to construct physical barriers to prevent the entry of muck into rivers / streams.

Dr. Lalramnghaki Pachuau, Scientist' D from Mizoram Pollution Control Board also explained the environmental impacts and that the current situation arise due to non-compliance of various environmental norms / rules / regulations / advisories. She further stated that even show cause notice was served to NHIDCL from Mizoram Pollution Control Board.

Representatives of NHIDCL / Contractors also explained their issues / problems. After detailed deliberation, the following decisions were taken.

1. The meeting was of the opinion that most of the current environmental problems faced due to new road construction along NH 54 and NH 302 are caused by negligence of various environmental norms / guidelines / laws / Acts by NHIDCL and its contractors. Stay order issued by DFO Lunglei and DFO Tlabung within their respective divisions were also ratified as it was inevitable to prevent further deterioration of environment (especially rivers and streams due to disposed muck). The meeting decided that all the contractors should carry out construction of RCC / Gabion walls at the bottom of all the dumping sites in full swing to prevent the entry of muck into the rivers / streams and should complete within 15 days. It was decided to carry out physical verification after 15 days.
2. It was also agreed that splitting the projects deliberately in less than 100 kms to avoid the need of obtaining Environmental Clearance is injustice to environment and not acceptable. Hence, NHIDCL is requested to re-examine the project and take necessary action in obtaining necessary clearance in addition to forest clearance in order to avoid further complications.
3. The meeting resolved that NHIDCL / Contractors should enquire damages done by improper muck disposal to individual properties within their respective areas and take necessary action to make good the loss.

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4. It was also decided that NHIDCL / Contractors should submit the updated muck dumping ground conditions as per the following proforma to Chairman / DC.

Sl. No	No. of dumping grounds				Remarks
	Designated (Approved by District Admn.)		Arranged by Contractor on mutual understanding (Non-designated)		
	With Protective Wall	With out protective wall	With protective wall	Without protective wall	
1	2	3	4	5	6

Approval of the competent authority should invariably be obtained in all the non-designated dumping ground immediately after constructing protective wall.

- 5. The meeting reiterated that dumping of muck should be done only at designated dumping site and all applicable environmental laws / rules / guidelines should be followed strictly. If additional dumping site is required, approval of the competent authority should be obtained and construction of protective wall (RCC / Gabion) should be completed before dumping muck.
- 6. The meeting also decided that identified dumping ground inside forest areas should be cancelled and suitable areas outside forest areas should be identified by the contractors and approval should be obtained from competent authority.

The meeting ended with vote of thanks from the Chairman.


 (KULOTHUNGANA)
 Chairman
 &
 Deputy Commissioner
 Lunglei District

Memo No.C.11015/1/2022-DFO(L)/32-35

Dated Lunglei, the 23rd June, 2022

Copy to :

All members & Invitees for kind information and necessary action.


 (PC LALCHHANDAMA)
 Member Secretary
 &
 Divisional Forest Officer.
 Lunglei Forest Division

ATTENDANCE SHEET

VENUE : DC Conference Hall
 Date & Time : 22nd June 2022 @ 1:00 PM
 Subject : Monitoring Committee to monitor the compliance of environmental Laws.

Sl No	Name & Designation	Phone No	Signature
1	Kulothungan A DC & Chairman		
2	PC Lalchhandama Member Secretary	9612609107	 22/6/22
3	C. Lalchandani BFO BFO	8974772377	
4	Dr. LALRAMNAGHAKI PACHUR SCIENTIST B, MP.CB	9436146946	
5	Prasanna Borgehain GM, ABCI	9435398224	
6	Sunay Ray, In, BIPL	9734769119	
7	Anuraj Singh, PM, DLGS	7988624458	
8	S. NABARATHAN SRI	9672812231	
9	B.V.S. RAJU RE, P-4	99595-91870	
10	S.H.A. Zaich P.M.	9161147777	
11	B. Singha (Habitual by 28-2)	8638507928	
12	T. Lalchandani YMA	9436157474	
13	G.K. Prasad ABCI-PRG-6	9470842979	
14	P. KRISHIKESH SINGH	7005284715	
15	Ramsagar Prasad (RE)	9774645536	
16	S.K. BAJPAJ (TL)	9657551011	
17	P.C. Lalchandani	9366115628	
18	F. Lalchandani	9426370551	
19	Aravind Reddy	8885524197	
20	G. Balasubramanyam	8131059671	
21	Alan Lalchandani SO	9612587436	
22	V. Lalchandani, Add/DC	9862614740	
23	H. Lalchandani	7005968251	
24	L. Lalchandani IS, UPSP	8974740992	
25	P.C. Zornathangia, DLAO	8974214794	
26	K. Lalchandani	9612870125	
27	Shyamal Kr Singh	7636054190	
28	C. Lalchandani	8974213605	

MINUTES OF THE MEETING OF MONITORING COMMITTEE TO MONITOR THE COMPLIANCE OF ENVIRONMENTAL LAWS FOR WORKS CARRIED OUT IN VARIOUS DEVELOPMENT PROJECTS (LINEAR AND NON-LINEAR) IN RESPECT OF LUNGLEI DISTRICT

Date & Time : 25th August, 2022 @ 2:00PM
 Venue : DC's Conference Hall, Lunglei
 Member presents : Annexure - I

The meeting was chaired by Pu Kulothugan A, Deputy Commissioner & Chairman of the committee. After welcoming all the members and invitees, he explained that the purpose of the meeting was to discuss the compliance of decisions taken in the earlier meeting by NHIDCL and its contractors. He further stated that out of the three monitoring teams constituted (Team A, Team B and Team C), only one team (Team C) has submitted their monitoring report and the other two teams are yet to submit their reports.

Pu PC Lalchhandama, DFO, Lunglei & Member Secretary who is also convener of Team - C highlighted brief report of verification stating that compliance of earlier decisions was not upto acceptable level. He further reported that dumping was done at a member of places other than designated dumping ground and most of the dumping grounds were without protective wall at the time of verification. The verification team opined that NHIDCL should pay for the ecological losses caused by improper muck disposal. Detailed monitoring report of Team - C is at annexure - 2.

Updated reports on designated dumping ground was given by contractors under NHIDCL as below :

SL No	Package No.	No. of spoil banks / Dumping grounds			
		With protective walls completed	Constn. Of protective wall going on	Without protective wall	Total
1	2	3	4	5	6
1.	NH-54 Package - 3	5	4	5	14
2.	NH-54 Package - 4	12	2	4	18
3.	NH-54 Package - 5	15	3	7	25
4.	NH-54 Package - 6	5	3	8	16
5.	NH-54 & 302 Package - A	1	-	12	13
6.	NH-54 & 302 Package - B	1	-	9	10

Photographs of the protective walls constructed were also submitted by respective contractors.

Contd... 2/-

After detailed deliberations, the following decisions were taken.

1. Since updated muck dumping ground was not submitted as decided in the last meeting, it was once again decided that NHIDCL / Contractors should submit updated information using the following proforma without further delay.

Sl. No	No. of dumping grounds				Remarks
	Designated (Approved by District Admn)		Arranged by contractor on mutual understanding (Non - designated)		
	With protective wall	Without protective wall	With protective wall	Without protective wall	
1	2	3	4	5	6

2. It was decided that construction of protective wall should be in full swing to complete them as soon as possible and in any case, before the next meeting which is tentatively scheduled to be held during mid - October, 2022.
3. It was decided that dumping should be taken as an opportunity to create flat land wherever possible in consultation with concerned individuals / villagers / NGOs etc.
4. It was reiterated that approval of the competent authority should be obtained for dumping ground before actual dumping even when arranged by mutual understanding. Protective walls should also be constructed prior to actual dumping.
5. As pointed out in the State Level Monitoring Committee held on 25.7.2022 (Para 2 of recommendations) about violation or non-violation of The Forest (Conservation) Act, 1980 in respect of NH-54 Package - 3 (under Lunglei District, Thingfal area), NHIDCL informed that although in - principle approval was obtained on 22.3.2022, work was started way back in October 2019 because the areas were claimed by some individuals and hence handed over to NHIDCL.
It was decided that NHIDCL should approach DFO Lunglei to discuss further course of action.
6. As desired by the same committee mentioned at 5 above where the District Monitoring Committees were requested to assess the loss caused to the environment due to irregular muck disposal (Para 8 of the recommendation), it was decided that DFO & Member Secretary may take necessary action on behalf of the District Monitoring Committee to take up the matter with Mizoram Pollution Control Board.
7. It was reported that some individuals are dumping at the down - hill road sides between 3 Gate and Saizaikawn which gives bad name to NHIDCL and its contractors. It was decided that the culprits, when detected, should be reported immediately to DC Office so that appropriate action will be taken.

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8. The difficulty in finding dumping ground between Hrangchawkawn – Szaikawn was also mentioned. It was decided that all members and invitees may extend all possible help to enable NHIDCL / Contractors to find suitable dumping ground.
9. It was also decided that critical locations of dumping ground that needs urgent construction of protective wall, if any, may be identified and informed to NHIDCL. DFO Lunglei & DFO Tlabung may take necessary action within their respective jurisdiction.

The next meeting was also tentatively scheduled to be held during mid – October to discuss compliance report and monitoring reports of Team A & Team B.

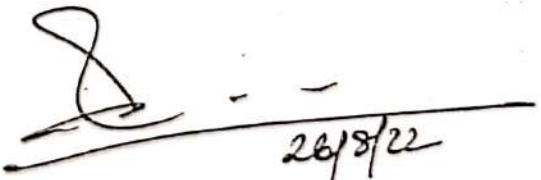
The meeting ended with vote of thanks from the Chair.


(KULOTHUNGAN A)
Chairman

District Monitoring Committee
&
Deputy Commissioner
Lunglei District

Memo No.C.11015/1/2022-DFO(L)/ 88-93 Dated Lunglei, the 26th August, 2022
Copy to :

All members & Invitees for kind information and necessary action.


26/8/22

(PC LALCHHANDAMA)
Member Secretary
District Monitoring Committee




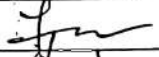



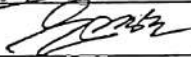
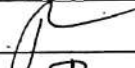

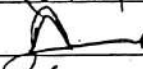

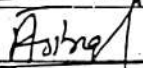

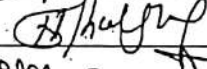
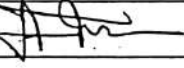
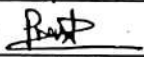

&
Divisional Forest Officer
Lunglei Forest Division

122

Date & Time : 25.8.2022 @ 2:00 PM
 Venue : DC's Conference Hall, Lunglei

ANNEXURE

ATTENDANCE SHEET

Sl/No	Name and Designation	Signature
1.	Kulothungan A, Deputy Commissioner	
2.	Pc Lalchandama, DFO	 25/8/22
3.	F. Lalramghinglola, D.O. L.S.W.C	
4.	C. Lalramkima, DFO TB	 25/8
5.	F. Lalramkimi, IS, UD&PA	
6.	C. Lalrammawia, HA DLAD.	 25/8/22
7.	Harwinder Singh (ABCI) Prg-5	
8.	H.S. Shekawat ABCI Prg. P.M.	
9.	Pragnya Banzon ABCI, Prg-A	
10.	Munishdharma Pr Nodir Casutan	
11.	S.K. Bapatra TL. C.M.C.E (S&B)	
12.	Rahul Amin Choudhury, Manager	Rahul
13.	S.G. Dwivedy, GM (N) NHIDCL	
14.	Shyamal Kr Singh	
15.	Chhotan Kr. Prasad (ABCI)	C.K.P.
16.	Akhilesh Kumar Singh Sr GM ABCI Prg 6	
17.	U. Ramesh Babu P.M. SRK	
18.	H.R. Thaker DPM SRK	
19.	Sukanta Mandal, (DPM) BPP - Prg-3	
20.	Prashant Kumar (C.S. Quantity Surveyor) SRK	
	V. Labuathiana, ADC	

MINUTES OF THE MEETING OF MONITORING COMMITTEE TO MONITOR THE
COMPLIANCE OF ENVIRONMENTAL LAWS FOR WORKS CARRIED OUT IN
VARIOUS DEVELOPMENT PROJECTS (LINEAR AND NON-LINEAR)
IN RESPECT OF LUNGLEI DISTRICT

ANNEXURE R6/22

Date & Time : 10th November, 2022 @ 2:00PM
Venue : DC's Conference Hall, Lunglei
Member presents : List enclosed

The meeting was chaired by Pu Kulothugan A, Deputy Commissioner & Chairman of the Committee. After welcoming all the members and invitees, he mentioned that it was the third meeting of the Monitoring team and expected some acceptable improvements in compliance of the decisions taken in the previous meetings. He further stated that all the three monitoring teams (Team A, Team B and Team C) have done physical verification diligently within the areas assigned to them and submitted their reports.

Pu PC Lalchhandama, DFO, Lunglei & Member Secretary summarized reports submitted by the three teams as follows -

1. Efforts have been made by NHIDCL and its contractors to comply the decisions of the previous meetings but those efforts are still found inadequate.
2. A number of the protective walls are not strong enough to withstand the load / pressure and are over flowing / broken / damaged.
3. In spite of repeated instructions / advices, locally arranged dumping sites are still found in many places which are without protection wall and also without approval from the competent authority.
4. There are some cases in which private properties are affected by improper muck disposal.
5. Construction of protective walls are still going on in many designated dumping grounds and are even yet to be started in some designated dumping grounds although constructions are to be done before monsoon. Updated reports on designated dumping ground was given by contractors under NHIDCL.

Photographs were also submitted by respective contractors.

After detailed deliberations the following decisions were taken -

1. The meeting felt very unfortunate to learn that there are still a number of dumping grounds which are locally arranged and without approval of the Competent Authority. So, it was decided that NHIDCL and its contractors should take all necessary action in order to obtain approval from the Competent Authority without further delay.
2. Construction of protective walls in designated dumping grounds should be carried out in full swing. Whenever any dumping ground is selected, approval of the authority should be obtained and protective walls should be constructed before dumping is started.
3. All the damaged / broken protective walls should be repaired / reconstructed immediately.

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4. The over-all compliance of the decisions was found unsatisfactory as there are always differences between reports from NHIDCL / Contractors and the ground reality. Therefore, it was reiterated that whatever instructions are given from the authority, NHIDCL and its contractors are bound to comply without any delay.
 5. As also decided in earlier meetings, NHIDCL and its contractors are instructed to settle the issue of private properties being damaged / affected by improper muck disposal at the earliest in order to avoid further escalation of the issue.
 6. As requested by Mizoram Pollution Control Board vide No.H.88088/Poltn/47-I/2022-MPCB dt 3.11.2022 to submit report on the number of days of violation regarding improper muck disposal, DFO Lunglei & Member Secretary of the District Level Monitoring Committee is entrusted to submit report to Mizoram Pollution Control Board.

The meeting ended with vote of thanks proposed by Member Secretary.


 (KULOTHUNGAN A)
 Chairman
 District Monitoring Committee
 &
 Deputy Commissioner
 Lunglei District

Memo No.C.11015/1/2022-DFO(L)/162-165 Dated Lunglei, the 11th November, 2022
 Copy to :

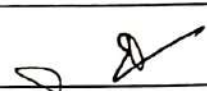






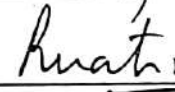
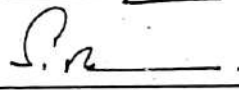


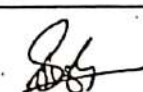


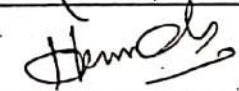
All members & Invitees for kind information and necessary action.


 (PC LALCHHANDAMA)
 Member Secretary
 District Monitoring Committee
 &
 Divisional Forest Officer
 Lunglei Forest Division

ATTENDANCE SHEETDate & time : 10th Nov. 2022 @ 2:00 PM

Venue : DC's Conference Hall, Lunglei

Subject : District Level Monitoring Committee

SL. NO	NAME	DESIGNATION/OFFICE	SIGNATURE
1	Kulothungan A	DC/Chairman	
2	PC. Lalchhandama	DFO/ Member Secretary	 10/11/22
3	PC Zonunthuangi	DBAO	
4	F. dabuwalkini	IS, UD & PA	
5	Pothanga	S.C. Ranger	
6	H.S. Shekhowat ABCI	C.M Pkg. 4	
7	B.V.S RAJU	RE PK. 4	
8	C. Lalremruath.	DIPRO	
9	LALROILUKAQA.	Pro, SYMA	
10	Alan Lakthamra	SO	
11	H. Lalramenga	ASO	
12	Shyamal Kt Singh	So. Surveyor, BIPL	
13	VL. Hlusa Pachuan	PRO BIPL	
14	Ruhul Amin	Manager (P) NEDCL	
15	Harwinder Singh	ABCI (Pkg-5) DPM	

SL. NO	NAME	DESIGNATION/OFFICE	SIGNATURE
16	P.C. Lathuaitianga	Engg, NHIDCL	P.C. Lathuaitianga
17	Arbin Thakur	Site Engineer, NHIDCL	Arbin
18	G. Balasubramanian	Project manager, SRK, DKA	G. Balasubramanian
19	V. Suresh Kumar	Deputy Project Manager (SRK construction)	V. Suresh Kumar
20	Shawn T Sequeira	Manager (Design & AS) SRK construction	Shawn T Sequeira
21	SUNAY KR SUNGH.	HIGHWAY PROJ (SRK/MEG)	S. Singh.
22	Donny Labruatsaga	Ape. U	Donny Labruatsaga
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MINUTES OF THE MEETING OF MONITORING COMMITTEE TO MONITOR THE COMPLIANCE OF ENVIRONMENTAL LAWS FOR WORKS CARRIED OUT IN VARIOUS DEVELOPMENT PROJECTS (LINEAR AND NON-LINEAR) IN RESPECT OF HNAHTHIAL DISTRICT

ANNEXURE R6/23

Date & Time : 1st February 2023 @ 3:00PM
Venue : DC's Conference Hall, Hnahthial
Member present : Enclosed

The meeting was chaired by Pu R. Lalremsanga, DC & Chairman of the Committee. At the outset, the chairman welcomed all the members & invitees and explained the terms of reference of the committee. He further emphasized that development and environmental conservation should go hand in hand and the safety of our environment should not be compromised in the name of development, and requested all concerned to be cautious while carrying out their duties.

Pu PC Lalchhandama, DFO, Lunglei & Member Secretary explained that the current major environmental issue is related to road construction and related works. He stated that most of the current problems due to road construction along NH 54 are due to negligence of environmental norms and various advisories made by the concerned authorities / Department / NGOs and hence, stay orders were issued by concerned DFOs with a request to construct physical barriers to prevent the entry of muck into rivers / streams. He also informed the meeting that show cause notice was served to NHIDCL by Mizoram Pollution Control Board. Further, the number of days of violation was also reported to Mizoram Pollution Control Board which include areas under Hnahthial District.

Representatives of NHIDCL / Contractors also explained their issues / problems. After detailed deliberation, the following decisions were taken.

1. The meeting was of the opinion that most of the environmental problems faced due to new road construction along NH 54 are caused by negligence of various environmental norms / guidelines / laws / Acts by NHIDCL and its contractors. Stay order issued by DFO Lunglei and DFO Thenzawl within their respective divisions were also ratified as it was inevitable at that time to prevent further deterioration of our environment (especially rivers and streams due to disposed muck). The meeting decided that all the contractors should carry out construction of RCC / Gabion walls at the bottom of all the dumping sites in full swing to prevent the entry of muck into the rivers / streams if not already done without further delay.
2. The meeting decided that NHIDCL / Contractors should enquire damages done by improper muck disposal to individual properties within their respective areas and take necessary action to compensate the loss.
3. The meeting reiterated that dumping of muck should be done only at designated dumping site and all applicable environmental laws / rules / guidelines should be followed strictly. If additional dumping site is required, approval of the competent authority should be obtained and construction of protective wall (RCC / Gabion) should be completed before dumping muck.

L. Lalremsanga
DC (PC)
Secretary

F/B OF 1
Receipt No. 9054 1
Date 6.2.23

adp 2/23

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4. The meeting also decided that identified dumping ground inside forest areas should be cancelled and suitable areas outside forest areas should be identified by the contractors and approval should be obtained from competent authority.
 5. The meeting was also of the opinion that the recent disaster (land slide) at Maudarh quarry, which took place on 14th November 2022 and claimed 12 precious lives, was also largely due to negligence of environmental norms. It was reiterated that approval of the competent authority should invariably be obtained before operating any stone quarry.

The committee also learnt that Maudarh quarry was operated without permission from the competent authority. So, NHIDCL was requested to take necessary action in order to comply all applicable Acts / rules / norms in all the working sites to minimize the chance of such type of disaster in future.

6. The committee was also informed that some contractors under NHIDCL has done river bed mining at River Mat with arrangements from Geology & Mining Department, Mizoram and Village Council of Zobawk 'N' and Rotlang 'E'. River bed mining without Environmental clearance is prohibited by Hon'ble Supreme court in its order dated 27th February 2012 (Depak Kumar Vs State of Haryana & Ors). Hon'ble NGT also prohibits the same vide its order dated 5th August 2013 (OA No.171 of 2013) and hence cannot be permitted either by Geology & Mining Department or Village Councils.

District Monitoring Committee, Lunglei issued instruction on 20.1.2023 to stop the mining immediately and to obtain necessary clearance before any mining activity is taken up. River Mat, being the boundary between Lunglei District and Hnahthial District, is also under the jurisdiction of Hnahthial District. The committee requested that necessary clearance/approval be obtained whenever any mining/quarrying is to be carried out.

7. Updated muck disposal site was reported as under :

Sl. No	Package No	No of identified dumping ground			
		With completed Gabion Wall	With on-going Gabion Wall	Without Gabion Wall	Total
1	2	3	4	5	6
1.	3	7	1	6	14
2.	4	15	1	3	19

It was reiterated that approval of the competent authority should be obtained for identified Dumping Ground and construction of Gabion/Protective Wall to prevent the entry of Muck into the river/stream should be completed before dumping is started.

The meeting also decided to carry out physical inspection of dumping ground, earth cutting etc. during mid February 2023

The meeting is ended with vote of thanks from the Chairman.

Sd /- R. LALREMSANGA
Chairman
District Level Monitoring Committee
&
Deputy Commissioner
Hnahthial District

Memo No. C/11015/1/2022-DFO(L)/ 236 - 239 Dated Lunglei, the 1st February, 2023

Copy to:

1. The Principal Chief Conservator of Forest & Member Secy, State Level Monitoring Committee
2. All members & Invitees for kind information and necessary action.

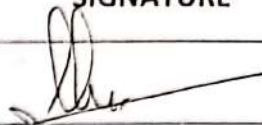
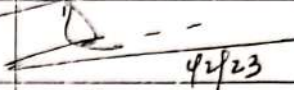
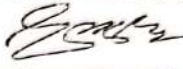


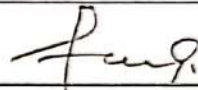

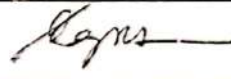


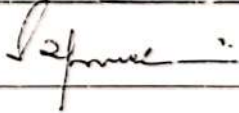

4/2/23

(PC LALCHHANDAMA)
Member Secretary
District Level Monitoring Committee
&
Divisional Forest Officer
Lunglei Forest Division

ATTENDANCE SHEET
1642

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Date & time : Dt 1st February, 2023 @ 3:00 PM
 Venue : DC's Conference Hall, Hnahthial
 Subject : District Level Monitoring Committee

SL. No	NAME	DESIGNATION/OFFICE	SIGNATURE
1	Pu R Lalremsanga	DC/Chairman	
2	PC. Lalchhandama	DFO/ Member Secretary	 4/2/23
3	Rafalla Borgemai	GM, ABCI, PKG-04.	
4	SG Dwivedy	GM (P) NHIDCL	
5	ASLAM SOHAIL	Engineer Project (PKG-24)	
6	B. Kalkringhans	Sec. YMA. Sub Hq	
7	Amprakar Singh	Manager ABCI	
8	N. Khatgama	P.O. Kwangtang	
9	F. Lalremsanga	PFO Hnahthial.	
10	BHASKARJIT DEKA	PM, BIPL, P-3	
11	Saitejprini	LDC	
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No. C.11023/2/2020-DC(S)/Vol-III
OFFICE OF THE DEPUTY COMMISSIONER
SIAHA DISTRICT: MIZORAM

Dated Siaha, the 21st June, 2022

ACTION TAKEN REPORT ON ENVIRONMENTAL ISSUES CAUSED BY DEVELOPMENTAL PROJECTS IN RESPECT OF SIAHA DISTRICT

Environmental Impact arising out of developmental works is viewed seriously by District Administration, Siaha wherein all possible efforts are put in so as to minimise the possible threat to flora, fauna and the environment as a whole.

In its endeavour towards environmental sustainability and minimisation of possible environmental threat arising out of developmental works, District Administration has taken the following actions.

1. District level meeting on the subject involving concerned stakeholders viz. NHIDCL, PMPL, BIPL, BRTF, Officials of Mara Autonomous District Council etc. was convened on 21.06.2022 (minutes enclosed)

It was stressed in the meeting that many rivers in the State of Mizoram and nature as a whole has been adversely affected thereby putting a threat on the ecological balance. Construction companies were advised to take up developmental works keeping in mind the safety of the environment; one particular and major factor of which is location of spoil banks (earth spoils dump site). They were informed to strictly utilise only those sites which have been identified for the purpose of spoil banks so as not to pollute the streams and rivers. Environmental responsibility and legal provisions for non-compliance was also highlighted and were thus informed to responsibly continue the developmental works keeping in mind the environmental safety.

2. Instructions on environmental safety was issued to all construction companies undertaking developmental works within Siaha District (copy enclosed)

3. Joint verification of spoils banks along the stretch of package-S of NH-54 was held on 2nd June, 2022 involving concerned stakeholders i.e. Officials from NHIDCL, BIPL and concerned Village Council Presidents. The exercise was led by Addl. Deputy Commissioner, Siaha who in the process reiterated that development at the cost of environmental threat would not be sustainable and acceptable and therefore minimisation of environmental impact should be the first

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Date 21.7.22


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priority. He further stated that the perception of spoil banks as the major factor of riverine pollution in Mizoram needs to change and therefore the site engineers in particular have the moral responsibility in fulfilment of the same.

4. Joint verification of proposed spoil banks along Kawlchaw-Pirura-Tongkalong road (30 to 45 kms, on-going construction) was held on 5th July, 2022. The joint verification was headed by Sub-Dy. Commissioner involving concerned stakeholders i.e. Officials from BRTF and concerned Village Council Presidents. Utmost care so as not to impact environmental stability was taken in the exercise and hence all proposed dumping sites/spoil banks were identified on plots located far away from streams and rivers. (verification report enclosed)
5. The requiring body (BRTF) of 45 to 66 kms along Kawlchaw-Phura-Tongkalong road who has planned on starting the works in the near future was directed by the District Administration to first obtain Environment & Forest clearance from the concerned Authority i.e. Mara Autonomous District Council before identifying any site for excavation works or spoil banks. Only after which further necessary action involving District Administration such as joint verification for the purpose of land acquisition or others shall be taken up. (copy enclosed)

Submitted to the Member Secretary, State Level Committee to monitor environmental issues arising from developmental projects.

Encls: As stated


(LALSANGLIANA)
Deputy Commissioner
Siaha District : Mizoram

MEETING MINUTE OF DISTRICT LEVEL MONITORING COMMITTEE ON
NH - 54 HELD ON 1st JULY 2022 AT DC'S CHAMBER

Time : 02:00 PM
Date : 01.07.2022
Venue : DC Chamber
Members present : List appended

The meeting was chaired by Pu Amol Srivastava, Deputy Commissioner, Lawngtlai District. The chairman at the outset thanked concerned officials for attending the meeting and emphasized the need to comply with environmental laws and other regulations imposed by the state government while carrying out upgradation/widening of NH-54 within Lawngtlai District.

Explaining agenda of the meeting, Pu James Miahlung, Addl. DC informed that last meeting of the monitoring committee was held on 3rd February, 2022 wherein certain decisions pertaining to compliance to state government's instruction on disposal of excavated soils were taken and follow up action on previous meeting minute would also be reviewed.

Representative from ABCI informed that they had identified 4 spoil banks while application for another 3 spoil banks is yet to be disposed off by the DC office. PMPL informed that they had identified 5 spoil banks. Representative from NHIDCL also apprised the meeting of encroachment within acquired areas along Package 6 (Thingkah to AOC).

After deliberations, the following decisions were taken:

1. All contractor's should strictly comply with existing regulation on dumping of excavated soils on spoil banks only with least damage to environment
(Action: NHIDCL/ABCI/PMPL)
2. In case of emergency situation when SDC/Nodal Officer could not physically visit the proposed dumping ground, ex-post facto approval of District administration should be taken by concerned contractors. Mutual agreement with private land owners should also be signed between Nodal Officer, representative of contractors and land owners.
(Action: NHIDCL/ABCI/PMPL)
3. DC, Lawngtlai will undertake physical inspection of ongoing upgradation work of NH-54 along Package 7 on 6th July 2022 subject to weather condition and availability of adequate POL.

(Action: ADC/SDC)

4. DC Office will issue public notification stating that interested individuals can submit complaint on alleged disposal of excavated soils and other related issues to DC.

(Action: SDC)

5. DC office will look into issue raised by concerned contractor on encroachment.

(Action: DC Office)

Sd/- AMOL SRIVASTAVA, IAS

Deputy Commissioner

Lawngtlai District, Lawngtlai

Dated Lawngtlai the 4th July, 2022

Memo No. A. 48011/29/2018 (Coor) – DC (LTI)

Copy to:

1. The Under Secretary, Revenue Department, Mizoram Aizawl.
2. The Under Secretary, General Administration Department, Mizoram, Aizawl.
3. The Under Secretary, Environment, Forest & Climate Change Department, Mizoram, Aizawl.
4. All concerned officials for information and necessary action.

(JAMES MIAHLUNG)

Addl. Deputy Commissioner
Lawngtlai District, Lawngtlai

1647
ATTENDANCE SHEET.

Date : 1st July 2022 @ 2:00 PM
 Venue : DC Chamber
 Subject : Widening and up-gradation of NH 54 within
 Lawngtlai District

Sl No	Name	Designation	Mobile Number	Signature
1	Amol Srivastava	DC	8798 836 720	
2	J. Miahlung	Add. DC		
3	Pankaj Sinha	PHPL-PK67	9852 581234	
4	S. Pawan Kumar	Manager P.M.P.L - HOTEL	9390 336153	
5	K. Lalramawia	DCCF	9436 148 158	
6	C. Lalrimuana	DCF (WL)	8729917156	
7	C.K. Prasad (ABCI-PK6-6)	Asst. Manager (FHS)	9470849979	
8	K. Prashant (ABU Pkg-1)	DM	8141038247	
9	Mohd. Hussain Ayyub	Resident Engineer	9470700407	
10	P.K. Singh	Resident Engineer	7679584126	
11	Sanjay Kumar	Sd/c & Safety Officer	9661212864	
12	Zaid Rahman	Manager-P NHIDCL	7005 189 678	
13	Mukesh Kumar	Manager (P)	7544646231	
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Azadi Ka
Amrit Mahotsav

No.L.11012/3/2022-DC(LTI)
GOVERNMENT OF MIZORAM
OFFICE OF THE DEPUTY COMMISSIONER
LAWNGTLAI DISTRICT : LAWNGTLAI
(LAND ACQUISITION BRANCH)

ANNEXURE R6/26

Dated Lawngtlai, the 20th December, 2022

To

The Deputy Conservator of Forest (FC)
Department of Environment, Forests & Climate Change,
Mizoram, Aizawl

Subj:

Submission of Action Taken Report under various road construction projects in Mizoram

Sir,

With reference to the subject cited above, I would like to submit various action taken points as below:

1. Approval for spoil banks in connection with the ongoing NH-54 is given after verification with forest department with certain conditions to comply with.(copy enclosed)
2. In pursuant to notification issued by EF&CC Department, District Level Monitoring Committee on NH-54 was held on 01.07.2022.(Meeting minute enclosed)
3. A meeting of District Level Monitoring Committee was held on 28.01.2021 and several actions were taken.(Meeting minute enclosed)
4. Joint verification was conducted on 17.09.2022 to verify whether any violation of Forest has occurred in the forest area falling under the project alignment of NH-54.(verification report enclosed)
5. In addition to this, the acquiring agency and concerned constructors were informed several times verbally and in writing to ensure that the development project does not caused damage to the environment.

This is for your kind information.

Encl: As stated

Yours faithfully

(Signature)

(MARILYN RUALZAKHUMTHANGI)

Deputy Commissioner
Lawngtlai District, Lawngtlai

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GOVERNMENT OF MIZORAM
OFFICE OF THE DEPUTY COMMISSIONER
SERCHHIP DISTRICT: MIZORAM

No.B.14018/2/2018-DC(SRCP)

Serchhip, the 21st July, 2022

ANNEXURE R6/27

To

The Principal Chief Conservator of Forests,
Environment, Forests & Climate Change Department
Aizawl, Mizoram

Subj: Action taken report-regarding.

Ref: No.B.22019/18/2022-FC(PCCF)/pt dt.20.7.2022

Sir,

In inviting a reference to the letter No and subject cited above, I am submitting herewith the action taken report with respect to monitoring of environmental issues arising from developmental projects undertaken by NHIDCL in Serchhip District for your kind information and necessary action.

Encls : As above.

Yours faithfully,

(NAZUK KUMAR)
Deputy Commissioner
Serchhip District: Mizoram

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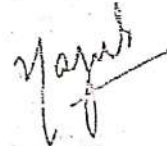
Date 22.7.22

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DCP (FC)

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ACF (FC)
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ACTION TAKEN REPORT

1. The district administration, had instructed the General Manager (P), NHIDCL, PMU Seling vide letter No.K.12011/15/2021-DC(SRCP) dt.01.06.2022 to take necessary action for proper collection and disposal of construction wastes generated such as earth spoils as per approval environmental management plan for safe disposal and to avoid environmental hazards in the ongoing NH-54 road construction activities. (Annexure-I)
2. Meeting of District Level Monitoring Committee on Implementation of JICA Funded Road Improvement Works of NH-54 was held on 13.06.2022 at 11:00AM. Minutes of meeting is enclosed at Annexure-II.
3. Joint Inspection of designated spoil banks within the whole stretch of the district was held on 28.06.2022 and 12.07.2022. Inspection report is enclosed at Annexure-III.



(NAZUK KUMAR)
Deputy Commissioner
Serchhip District, Mizoram

ANNEXURE R6/28**Minutes of the Meeting of Serchhip District Level Monitoring Committee on Implementation of JICA Funded Road Improvement Works of NH-54**

Venue: DC's Meeting Room, Serchhip
Date: 28.9.2022 at 12.00 noon

Members present: Attendance sheet attached

The meeting was chaired by Pi Nazuk Kumar, IAS, DC Serchhip and at the outset, she extended a warm welcome to all members present and after that the current scenario of implementation of JICA funded Road project of NH-54 along various packages such as Package -I, Package -II and Chhiahtlang & Serchhip By-Pass within Serchhip District were discussed in details and the following decisions were made by the Committee.

1. Package -I (Khumtung to Keitum): The road construction along Package -I had already been inspected by the District Level Monitoring Committee on 28.6.2022 and the Committee had given recommendations for improvement and rectification of the designated Spoil Banks (SBs) where irregular dumping and spillage of spoils were observed. As already resolved by the Committee in the previous meeting, District Level Monitoring Committee will conduct re-visit of all the SBs in this package to inspect and see the performance of User Agency/Contractors in undertaking the remedial measures for SBs as recommended by the Committee during the inspection.
2. Package -II (Keitum to Lunglei Road): The Committee inspected the road construction including irregular spoil dumping in SBs in Package -II on 12.7.2022. Similar to Package -I, the District Level Monitoring Committee had made recommendations for improvement of SBs and other protective measure to minimize the adverse impact of improper spoil dumping in the downhill terrains. As already decided by the Committee, re-inspection shall be done by the Committee along this package also to see how well the User Agency/Contractors has complied with the recommendations of the Committee for improvement and development of the SBs.
3. The District Level Committee members may group themselves into two teams so that re-inspection along package -I and II is completed at the earliest possible time. By any mean, both teams shall complete re-inspection before 15.10.2022.
4. Chhiahtlang & Serchhip By Pass: The User Agency (NHIDCL) may pursue Stage -I approval of Forest Clearance for this package more efficiently. In the meantime, District Level Monitoring Committee may conduct inspection of Serchhip By Pass at earliest convenient time.

The meeting ended with Thanks from the Chair.

Sd/(LALMUANSANGA RALTE)
Addl. Deputy Commissioner,
Serchhip; Mizoram

P/B OF PCCF
Receipt No. 508
Date 28.10.22

352

Memo No. 13031/1/2021-TFD/ 786 - 788

Dated 3rd.10.2022

Copy to:

- 1) Addl. PCCF & Nodal Officer(FC) Mizoram, Aizawl for kind information.
- 2) Member Secretary, MPCB, Aizawl for kind information and necessary action.
- 3) All members for kind information and necessary action.

Handwritten signature 3/9/22

(LALBIAKCHAMA CHAWNGTHU)
 Divisional Forest Officer, Thenzawl & Member Secretary
 District Level Monitoring Committee on Implementation of
 JICA Funded Road Improvement Works of NH-54

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To,

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 Date

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No.F.14011/430/2022-DC(A)/L&B/ 15 - 19
OFFICE OF THE DEPUTY COMMISSIONER
AIZAWL DISTRICT, AIZAWL
(LANDS & BUILDING BRANCH)

ANNEXURE R6/29

Dated Aizawl, the 21st July, 2022

~~ACF~~
ACF (FC)

21/7
D/A

To,

Principal Chief Conservator of Forest, Mizoram
&
Member Secretary, State Level Committee.

Subj: Submission of Report.

Ref: No.B.22019/18/2022-FC(PCCF)/PI Dt.20.07.2022

Sir,

With reference to the subject and reference letter No. cited above, I have the honour to submit herewith action taken reports regarding environmental damages caused due to various projects taken up by NHIDCL in the state of Mizoram.

This is for your information and further necessary action.

Encl: 1) Report.

- 2) Meeting of District Level Monitoring Committee.
- 3) Meeting Minutes.

P/O OF PCCF
3520
21-7-22

Yours faithfully,



(LALNUNDIKA)
Addl. Deputy Commissioner,
Aizawl District, Aizawl.

ACTION TAKEN REPORT

1. Twelve (12) numbers of letters pertaining to environmental issues have been received by this Office.
2. A meeting was held on 24.06.2022 at the Deputy Commissioner's Office Chamber, Aizawl. In pursuance of the decision made by the meeting, a joint inspection was scheduled to be held on 08.07.2022. However, the first schedule was postponed and rescheduled on 22.07.2022 (Friday).

Besides looking into whether environmental laws are complied with, the joint inspection team will monitor on any case of improper disposal or dumping of excavated soil on lands other than the designated spoil bank and its impact on environmental damages due to the ongoing construction works of NH-54 and NH-06.

MINUTES OF THE MEETING OF MONITORING COMMITTEE TO MONITOR COMPLIANCE OF ENVIRONMENTAL LAWS FOR WORKS CARRIED OUT IN DEVELOPMENT PROJECTS IN AIZAWL DISTRICT

Venue : DC's Chamber, Aizawl
Time : 24.6.2022, 2.00pm

The meeting was presided over by Smt Dr Lalhriatzuali IAS, Deputy Commissioner Aizawl and Chairman, Monitoring Committee, Aizawl District. As invited from the chair, Sh Lalitlanhlua Zathang, DFO Aizawl and Member Secretary explained the term of reference of the committee so constituted. Though the Committee to monitor and vigil environmental laws on various development projects both linear and non linear within Aizawl District, the main focus at this juncture shall be confined to the current environmental issues due to indiscriminate dumping of spoiled earth from the construction/widening works of roads. Smt Lalramnghaki Scientist, Mizoram Pollution Control Board also stated that the likes of the present situation was already anticipated and hence NHIDCL were communicated however they seemingly undermine to comply the environmental norms and the present problems has risen and they have only pay attention after serving show cause notice.

The Committee was apprised that there are two big road construction projects viz. NH 54 Aizawl Tuipang Road package 1 to which the User Agency, NHIDCL has Final Approval from competent Authority and NH 06 Seling to Zokhawthar Road (Seling to Tuirini stretch within Aizawl District) which User Agency was yet to obtain In Principle Approval/Stage 1 Approval. Since the Approval is still under process whereas the guidelines stated that *Some projects involve use of forest land as well as non-forest land. State Governments/project authorities sometimes start work on non-forest lands in anticipation of the approval of the Central Government for release of the forest lands required for the project. Though the provisions of the FC Act may not have technically been violated by starting of work on non-forest lands, expenditure incurred on works on non-forest lands may prove to be infructuous if diversion of forest lands involved is not approved. Therefore, if a project involves forest as well as non-forest land, work should not be started on non-forest land till approval of the Central Government for release of forest land under the Act has been obtained unless and to the extent permitted by the FC Rules or guidelines issued thereunder* and it is understood that such development project is required by the state however environment should not be compromised. With this background deliberation, followings are decided.

1. Advance implementation of the Project: The Committee understood that implementation of project is not prevented outside forest area prior to obtaining *In Principle Approval* from competent authority, however, this does not mean that User Agency can work undermining environment laws in all stretches and no work should be carried out in forest area. Therefore User Agency has to be readied to any realization of the required amount for compensatory afforestation, net present value, penal CA from the forest area under Forest Conservation Act, 1980 and

2758
Date 1-7-22

also environmental compensation under Environment (Protection) Act, 1986 wherever violation of the above found.

2. Site inspection: The Committee shall visit construction sites starting from NH 06 Seling - Tuirini on 8.7.2022, Member Secretary may prepare format for inspection. The committee may thoroughly inspect compliance of OM (Instruction on National Highway Constructions in Mizoram) vide No.K.12011/4/2019 - REV Dt.9.11.2020.
3. Muck disposal: The meeting resolved that overburden earth must only be dumped in designated dumping sites identified by authority and must be stabilized by constructing gabion wall/rcc wall to prevent any further overflow of spoiled earth. In case of any additional dumping site required User Agency must acquire private lands and the land filled shall further developed into more suitable land.
4. Addition of Committee members: The Committee so constituted to monitor development projects on compliance of environmental laws within Aizawl district and it was opined that Commissioner of Aizawl Municipal Corporation and Settlement Officer, LR&S Department Aizawl district be added to the Committee for which appropriate authority may be approached.

The meeting ended with thanks from the chair.

Dr Lalhriatzuali Ralte
29/6/22

Dr LALHRIATZUALI RALTE
Deputy Commissioner
& Chairman
Monitoring Committee, Aizawl District

Memo No.B.12023/2/2017 – DFO(A)/236 : Dated Aizawl, the 29th June 2022

Copy to:

1. Principal Chief Conservator of Forests Mizoram for kind information
2. PS to Principal Secretary, Department of Environment, Forest & Climate Change for kind information
3. All Members for kind information and necessary action

Lal Lanhluia Zathang
29/6/22

(LALTLANHLUA ZATHANG)
Divisional Forest Officer
Aizawl Forest Division
& Member Secretary
Monitoring Committee, Aizawl District

ATTENDANCE SHEET

Meeting on ...24/06/2022 @ 2:00 P.M.....

Sl.No.	NAME	DESIGNATION	Mobile No.	SIGNATURE
1.	Dr. Lalhriatzuali Ralte	DC	9436141306	<i>[Signature]</i> 24/6
2.	Lalrundika	ADC	8974036258	<i>[Signature]</i> 24/6/22
3.	Lalheuihuangi	J LAD	9862614255	<i>[Signature]</i> 24/6
4.	Dr. Lalraungbaki Pachuan	SCIENTIST 'B'	9436146946	<i>[Signature]</i> 24/6/22
5.	Latlantlha Zathang	DFO, Aizawl	9436195286	<i>[Signature]</i>
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MIZORAM STATE POLLUTION CONTROL BOARD

ANNEXURE R6/30

REPORT ON THE ASSESSMENT OF ENVIRONMENTAL COMPENSATION AGAINST THE ENVIRONMENTAL DAMAGES CAUSED BY NATIONAL HIGHWAYS AND INFRASTRUCTURES DEVELOPMENT CORPORATION LIMITED (NHIDCL) IN CONNECTION WITH WIDENING OF NATIONAL HIGHWAYS IN MIZORAM

Background:

Public complaints and outcries have been constantly received the state govt. from various parties against the alleged improper, haphazard dumping of earth spoils from road construction of the national highways in various parts of Mizoram undertaken by National Highway Infrastructure & Development Corporation Limited (NHIDCL) and its engaged contractors.

The environmental damages arising out of the road constructions in various parts of Mizoram are allegedly due to negligence/violation of various environmental laws/norms by NHIDCL and its contractors.

State Level Monitoring Committee and District Level Monitoring Committee:

The State Government constituted State Level Monitoring Committee to monitor compliance of the environmental laws while implementing development projects in the state of Mizoram under the Chairmanship of Adviser to Chief Minister (Technical) on 15.07.2022. District Level Monitoring Committee was also formed by the Government for each district under the Chairmanship of concerned DC.

Violation of environmental norms and environmental damages caused by NHIDCL

The District Level Monitoring Committees carried out monitoring of the developmental projects of NHIDCL within their jurisdiction. It was confirmed that NHIDCL has largely violated environmental Acts/Rules - Mizoram (Forest) Act, 1955 and Forest (Conservation) Act, 1980, Construction and Demolition Waste Management Rules, 2006 & Water (Prevention & Control of Pollution) Act, 1974 and have caused devastating environmental havocs in many places. Dumping of earth spoils in inappropriate/unauthorized sites and the irregular muck disposal have caused environmental damages including deforestation, blockage of road and culverts, damages of the natural drains and severe contamination of important rivers at several places in Mizoram.

Assessment of environmental compensation against environmental damages.

Meeting of the State Level Monitoring Committee held on 25.07.2022 at the Chief Minister's Conference Hall, Aizawl has decided to assess the loss caused to the environment due to irregular muck disposal and other activities from polluters. District Level Monitoring Committees are entrusted for the tasks with assistance of Mizoram Pollution Control Board (MPCB).

Environmental Compensation Regime as per the Hon'ble NGT Order

MPCB has taken initiatives for assessing Environmental Compensation (EC) as per the Environmental Compensation Regime approved by the Hon'ble NGT in its Order dated

19.02.2019 in O.A No. 593/2017 in the matter of Paryavaran Suraksha Samiti & Anr. Versus union of India & Ors. Accordingly, Environmental Compensation is liable to be paid by any unit violating the environmental norms for causing environmental damages. The formula for calculation of Environmental Compensation as per the Hon'ble NGT order is as below:-

$$EC = P1 \times N \times R \times S \times LF$$

Where, EC is Environmental Compensation in ₹

PI = Pollution Index of industrial sector (80 for red, 50 for Orange & 30 for Green)

N = Number of days of violation took place

R = A factor in Rupees (₹) for EC (taken as 250 for EC)

S = Factor for scale of operation (0.5 for Micro, 1.0 for small and 1.5 for large)

LF = Location factor (taken as 1.0 as the project area located >10km from the Municipal Boundary)

As the number of days of violation is to be taken into account for the calculation. MPCB has issued letter to all the DFOs wherein violation has taken place such as, Aizawl, Thenzawl, Lunglei & Champhai and DCF of Lai Autonomous District Council & Mara Autonomous District Council requesting them to submit report on the number of days of violation occurred within their jurisdiction.

Reports have been received from Serchhip, Lunglei, Siaha and Aizawl based on which assessment of EC has been made as below:

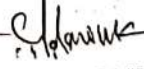
Sl No	Name of the Project	PMU with District	Period of violation took place	No of days of Violation took place	Amount (₹)
1.	NH-54 (Package-2)	Lunglei	Starting from January 2021	684	6,840,000.00
2.	NH-54 (Package-3)	Lunglei	-do-	684	6,840,000.00
3.	NH-54 A & 302 (Lunglei to Tlabung)	Lunglei	Starting from April 2022	229	2,290,000.00
4.	1 (Khumtung to Keitum)	Serchhip	1.3.2020 to October 2022	975	9,750,000.00
5.	1 (Chhiahtlang to Serchhip By-pass)	Serchhip	-do-	310	3,100,000.00
6.	2 (Keitum to Pangzawl)	Serchhip	-do-	975	9,750,000.00
7.	NH-54 (Package -7 Kachao - Amoby Vaithie) Chainage 331 +400 to 332+080	Siaha	January 2022	325	3,250,000.00
8.	NH-54 (Package -7 Kachao - Amoby Vaithie) Chainage & 328+800 to 329+300	Siaha	-do-	320	3,200,000.00
9.	NH-54 (Package -8 Pachhy lokah) Chainage 344+500 to 344+650	Siaha	January 2021	330	3,300,000.00
10.	Theiri Area Chainage 360+700 to 360+800	Siaha	-do-	460	4,600,000.00
11.	NH-06, Seling to Dulte Road (Package-I)	Aizawl	-	139	1,390,000.00

12.	NH-06, Seling to Dulte Road (Package-II)	Aizawl	-	67	670,000.00
13.	NH-06, Seling to Dulte Road (Package-III)	Aizawl	-	74	740,000.00
14.	NH-06, Seling to Dulte Road (Package-IV)	Aizawl		132	1,320,000.00
15.	NH-54, Aizawl to Tuipang Road	Aizawl	-	513	5,130,000.00
16.	Dulte-Kawlkulh-Champhai (Package-1)	PMU-Seling	Report not received	-	-
17.	Dulte-Kawlkulh-Champhai (Package-2)	PMU-Seling	-do-	-	-
21.	Dulte-Kawlkulh-Champhai (Package-3)	PMU-Seling	-do-	-	-
18.	Lawngtlai Bypass (Package-3) Bypass No.4	PMU-Lawngtlai	-do-	-	-
19.	Keifang-Tuivai (Package-1)	PMU-Seling	-do-	-	-
20.	Keifang-Tuivai (Package-2)	PMU-Seling	-do-	-	-
21.	Keifang-Tuivai (Package-3)	PMU-Seling	-do-	-	-
Total					59,070,000.00

(Rupees five crore ninety lakh seventy thousand) only

Note:

- The project is categorized as red under pollution index
- One package is taken as Micro for scale of operation.


 (C.LALDUHAWMA)
 Member Secretary,
 Mizoram Pollution Control Board

1661

GOVERNMENT OF MIZORAM

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

197
A-26

No.B. 22019/18/2023-FC/PCCF/109

Dated Aizawl the 30th May, 2023

To

ANNEXURE R6/31

Member Secretary
Mizoram Pollution Control Board
Mizoram, Aizawl.

Subj : Re - submission of Assessment Report on Environmental Compensation (EC) due to operation of Widening of National Highways in Mizoram undertaken by National Highway Infrastructure & Development Corporation limited - reg.

Ref: 1. No. H.88088/Poltn/47-1/2022-MPCB/50-53 Dt. 09.03.2023
2. No. H.88088/Poltn/47-1/2022-MPCB/74-77 Dt. 15.05.2023

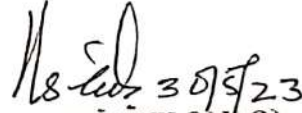
Sir,

With reference to your letter nos. and subject cited above, I am directed to request you to take necessary action for assessment and realization of Environmental Compensation wherever violation has taken place. It may be pertinent to mention that the Mizoram Pollution Control Board has been authorized in this regard under sub section (1) of section 4 of Environment Protection Act, 1986 and relevant rules (copy enclosed) to take action.

This is for kind information and further necessary action please.

Encl: As Above.

Yours faithfully,


(LALRAMMAWII SAILO)

Conservator of Forest (FC)
Dated Aizawl the 30th May, 2023

Memo No.B. 22019/18/2023-FC/PCCF/109

Copy to

1. Under Secretary to the Govt. of Mizoram, Environment, Forest & Climate Change Department for kind information please.
2. Conservator of Forests (SC/CC) for kind information please.
3. Divisional Forest Officer (Aizawl/Thenzawl/Lunglei) for kind information please.
4. District Council Conservator of Forest (LADC/MADC) for kind information please.


Assistant Conservator of Forest (FC)

o/c



Office Swaraj&Kotwal <office@swarajandkotwal.com>

Service: Reply Affidavit in OA26/2023| PI Vanramchhuangi Vs UOI & ors

1 message

Office Swaraj&Kotwal <office@swarajandkotwal.com>

Thu, Aug 10, 2023 at 10:38 PM

To: emailtogkb@gmail.com, advocatenandita@gmail.com

Cc: Siddhesh Kotwal <siddheshkotwal@swarajandkotwal.com>, Ana Upadhyay <anaupadhyay@swarajandkotwal.com>

Dear Sir,

 **FINAL REPLY NGT (1).pdf**

Hope this email finds you well.

Please find attached the Reply Affidavit filed on behalf of Respondent No. 4,6, and 7 in the above-captioned matter, for your kind reference and record.

Best Regards,
Ana Upadhyay
Advocate
+91 6202231868
Office of Mr. Siddhesh Kotwal
Standing Counsel for the State of Mizoram
New Delhi

J-1, First Floor,
"Upasana" Building,
1, Hailey Road,
New Delhi -110001
India.
Tel: +91 11 41045066

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