GOVERNMENT OF MANIPUR  
SECRETARIAT: FORESTS & ENVIRONMENT DEPARTMENT  
-----  
ORDERS BY THE GOVERNOR: MANIPUR  
Imphal, the 15th January, 2014  

No.57/68/2006-For.& Envt.: In pursuance to the letter No.F.8-98/88-FC(pt) dated 31st December, 2013, Govt. of India, Ministry of Environment & Forests (FC Division), New Delhi, the Governor of Manipur is pleased to accord final approval to the diversion 595 hectares of forest land for Thoubal Multipurpose Project, Utkhrul, Manipur subject to the fulfilment of the following conditions:--

(i) Legal status of the diverted forest land shall remain unchanged.
(ii) Compensatory Afforestation shall be raised and maintained over degraded forest land twice in extent to the area of forest land diverted from funds realised from the user agency;
(iii) Compensatory Afforestation shall be raised in consultation with Chief Wildlife Warden of the State due to use of chain linking fencing in the proposal;
(iv) The State Government shall realise additional amount of the NPV of the diverted forest land, if any, becoming due after finalisation of the same by the Hon'ble Supreme Court of India and transfer the same to the ad-hoc CAMPA under intimation to the Ministry;
(v) State Government shall implement the Catchment Area Treatment (CAT) Plan in accordance to the approved CAT plan for the purpose, from funds realised from the user agency;
(vi) State Government shall assess the year-wise details of the area of forest and non-forest land utilised for execution of project before and after the grant of stage-I approval under the Forest (Conservation) Act, 1980 for diversion of the forest land required for the project;
(vii) State Government shall raise penal compensatory afforestation from funds to be realised from the user agency, over degraded forest land double in extent to the forest land utilised for non-forest purpose without obtaining final approval under the Forest (Conservation) Act, 1980;
(viii) State Government shall raise penal compensatory afforestation from funds to be realised from the user agency, over degraded forest land equal in extent to the non-forest land utilised for construction of the project before obtaining stage-I approval under the Forest (Conservation) Act, 1980 for diversion of the forest land required for the project;
(ix) State Government shall realize from the user agency penal NPV @ 20 % of the rates applicable on the date of grant of the stage-I approval, of forest land utilized for non forest purpose without obtaining final approval under the Forest (Conservation) Act, 1980 for each year or fraction thereof. (Explanation: in case a patch of forest land has been utilized for non-forest purpose without obtaining approval under the Forest (Conservation) Act, 1980 for 3 years, penal NPV to be realised in respect of such forest land will be at the rate of 60 % of the rates applicable on the date of grant of stage-I approval);
(x) The concerned Regional Office of the MoEF shall initiate appropriate proceedings under Section-3 A and Section-3 B of the Forest (Conservation) Act, 1980 against persons prima facie found guilty of violation of the Forest (Conservation) Act, 1980;
(xi) The State Forest Department shall initiate appropriate proceedings under relevant sections of the India Forest Act, 1927 and the local Forest Act against persons prima facie found guilty of violation of these Acts;

Contd ..... 2/-
(xii) The funds received from the user agency in compliance with the conditions stipulated at Sl.No. (vii) to (ix) above shall be transferred in concerned saving bank account of the Adhoc-CAMPA in Corporation Bank, CGO Complex, New Delhi-110003;

(xiii) Felling of trees in the forest area, so diverted, shall be only as per the actual requirement and with prior permission of the competent authority;

(xiv) The forest land diverted shall not be used for any purpose other than that specified in the proposal;

(xv) User agency shall make arrangements for free supply of fuel-wood, preferably alternate energy source, to labourers and staff working on the project site so as to avoid any pressure on the adjacent forest areas;

(xvi) User agency shall provide free water from the Project for all forestry related activities;

(xvii) User agency shall comply with all the conditions stipulated by the PCCF, Manipur in his specific recommendations at the time of submitting the proposal to the Central Government.

(xviii) User agency shall take up canal side plantations on both sides of the canals as per the schemes prepared by the Forest Department, at the Project cost. The wildlife may be promoted in these plantations at the user agency’s cost.

(xix) User agency shall ensure that there shall be no damage to the wildlife in the area.

(xx) The approval under the Forest (Conservation) Act, 1980 is subject to clearance under the Environment (Protection) Act, 1986, if required;

(xxii) The user agency shall submit annual report on status of compliance to conditions stipulated in this approval to the State Government and the concerned Regional Office of the Ministry; and

(xxii) All other conditions under different rules, regulations and guidelines including environmental clearance shall be complied with before transfer of forest land.

Forest land shall not be diverted before the compliance of the above conditions.

By Orders & in the name of Governor,

(Kengoo Zuringla)

Deputy Secretary to the Govt. of Manipur.

Copy to:-

1. The P.S. to the Hon’ble Minister (For, & Envt.), Manipur.
2. The Staff Officer to the Chief Secretary, Govt. of Manipur.
3. The Pr. Conservator of Forests, Manipur. He is requested to display the content of the entire order in the website of the Forest Department.
4. The Asstt. Inspector General of Forests, Govt. of India, Ministry of Environment & Forests (FC Division), Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110510.
5. The Addl. Principal Chief Conservator of Forests, North Eastern Regional Office, Ministry of Environment & Forests, Govt. of India, Shillong.
6. The Addl. Pr Chief Conservator of Forests (Wildlife) and Chief Wildlife Warden, Manipur
7. The Principal Secretary(IFCD), Govt. of Manipur.
8. The Chief Engineer (IFCD), Manipur.
10. Guard File.
F. No. 8-98/88-FC (pt.)
Government of India
Ministry of Environment and Forests
(F.C. Division)

To,
The Principal Secretary (Forests),
Forest Department,
Government of Manipur,
Imphal

Sub.: Diversion of 595 hectares (5.95 sq.km.) of forest land for Thoubal Multi-purpose Project, District, Ukhrul, Manipur State.

Sir,

I am directed to refer to the Government of Manipur’s letter No. 56/1/82-For dated 3rd January, 1988 on the above-mentioned subject, wherein prior approval of the Central Government for the diversion of 595 ha (5.95 sq.km.) of forest land for Thoubal Multi-purpose Project, District, Ukhrul, Manipur State, was sought in accordance with section-2 of the Forest (Conservation) Act, 1980. After careful consideration of the said proposal by the Forest Advisory Committee constituted under section-3 of the afore-mentioned said Act, stage-I approval under the Forest (Conservation) Act, 1980 for diversion of the said forest land was accorded vide this Ministry’s letter of even number dated 11th January 2010 read with corrigendum of even number dated 12th March 2010, subject to fulfillment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the stage-I approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Manipur vide their letters No. 57/ 68/ 2006-FOR & ENVT. dated 29th August 2013, No. 57/ 68/ 2006 - For-Envt dated 30th September 2013, No. 57/ 68/ 2006 - For-Envt dated 30th September 2013, and No. 57/ 68/ 2006- For. & Envt dated 3rd October 2003 and the Ministry’ of Tribal Affairs, Government of India’s O.M. F. No. 23011/21/2013-FRA dated 18th December 2013 vide which Ministry of Tribal Affairs has accepted the compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act), 2006 submitted by the State Government and forwarded to them by this Ministry vide letter of even number dated 24th October 2013 for opinion, and in supersession of this Ministry’s letter of even number dated 12th December 2013, final approval of the Central Government is hereby granted under section-2 of the Forest (Conservation) Act, 1980 for diversion of 595 hectares of forest land for Thoubal Multi-purpose Project, District, Ukhrul, Manipur, subject to fulfillment of the following conditions:

(i) Legal status of the diverted forest land shall remain unchanged.
(ii) Compensatory Afforestation shall be raised and maintained over degraded forest land twice in extent to the area of forest land diverted from funds realised from the user agency;

(iii) Compensatory Afforestation shall be raised in consultation with Chief Wildlife Warden of the State due to use of chain linking fencing in the proposal;

(iv) The State Government shall realise additional amount of the NPV of the diverted forest land, if any, becoming due after finalisation of the same by the Hon’ble Supreme Court of India and transfer the same to the ad-hoc CAMPA under intimation to this Ministry;

(v) State Government shall implement the Catchment Area Treatment (CAT) Plan in accordance to the approved CAT plan for the purpose, from funds realised from the user agency;

(vi) State Government shall assess the year-wise details of the area of forest and non-forest land utilised for execution of project before and after the grant of stage-I approval under the Forest (Conservation) Act, 1980 for diversion of the forest land required for the project;

(vii) State Government shall raise penal compensatory afforestation from funds to be realised from the user agency, over degraded forest land double in extent to the forest land utilized for non-forest purpose without obtaining final approval under the Forest (Conservation) Act, 1980;

(viii) State Government shall raise penal compensatory afforestation from funds to be realised from the user agency, over degraded forest land equal in extent to the non-forest land utilized for construction of the project before obtaining stage-I approval under the Forest (Conservation) Act, 1980 for diversion of the forest land required for the project;

(ix) State Government shall realize from the user agency penal NPV @ 20% of the rates applicable on the date of grant of the stage-I approval, of forest land utilized for non forest purpose without obtaining final approval under the Forest (Conservation) Act, 1980 for each year or fraction thereof. (Explanation: In case a patch of forest land has been utilized for non-forest purpose without obtaining approval under the Forest (Conservation) Act, 1980 for 3 years, penal NPV to be realised in respect of such forest land will be at the rate of 60% of the rates applicable on the date of grant of stage-I approval);

(x) The concerned Regional Office of the MoEF shall initiate appropriate proceedings under Section-3 A and Section-3 B of the Forest (Conservation) Act, 1980 against persons prima facie found guilty of violation of the Forest (Conservation) Act, 1980;

(xi) The State Forest Department shall initiate appropriate proceedings under relevant sections of the Indian Forest Act, 1927 and the local Forest Act against persons prima facie found guilty of violation of these Acts;
(xii) The funds received from the user agency in compliance with the conditions stipulated at sl. No. (vii) to (ix) above shall be transferred in concerned saving bank account of the Ad-hoc CAMPA in Corporation Bank, C.G.O. Complex, New Delhi-110003;

(xiii) Felling of trees in the forest area, so diverted, shall be only as per the actual requirement and with prior permission of the competent authority;

(xiv) The forest land diverted shall not be used for any purpose other than that specified in the proposal;

(xv) User agency shall make arrangements for free supply of fuel-wood, preferably alternate energy source, to labourers and staff working on the project site so as to avoid any pressure on the adjacent forest areas;

(xvi) User agency shall provide free water from the Project for all forestry related activities;

(xvii) User agency shall comply with all the conditions stipulated by the PCCF, Manipur in his specific recommendations at the time of submitting the proposal to the Central Government;

(xviii) User agency shall take up canal side plantations on both sides of the canals as per the schemes prepared by the Forest Department, at the Project cost. The wildlife may be promoted in these plantations at the user agency’s cost;

(xix) User agency shall ensure that there shall be no damage to the wildlife in the area;

(xx) The approval under the Forest (Conservation) Act, 1980 is subject to clearance under the Environment (Protection) Act, 1986, if required;

(xxii) The user agency shall submit annual report on status of compliance to conditions stipulated in this approval to the State Government and the concerned Regional Office of this Ministry; and

(xxii) All other conditions under different rules, regulations and guidelines including environmental clearance shall be complied with before transfer of forest land.

Yours faithfully,

(H. C. Chaudhary)
Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Government of Manipur, Imphal.
3. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (North Eastern Zone), Shillong.
5. Monitoring Cell, FC Division, MoEF, New Delhi.

(H. C. Chaudhary)
Assistant Inspector General of Forests
F.No.8-98/88-FC
Government of India
Ministry of Environment and Forests
(F.C. Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110003.

To

The Principal Secretary (Forests),
Forest Department,
Government of Manipur,
Imphal.

Sub.: Diversion of 595 ha (5.95 sq.km.) of forest land for Thoubal Multi-purpose Project, District, Ukhrul, Manipur State.

Sir,

CORRIGENDUM

The undersigned is directed to refer to this Ministry’s letter of even no.dated 11th January, 2010 on the above mentioned subject, wherein prior in principle approval of the Central Government for the diversion of 595 ha (5.95 sq.km.) of forest land for Thoubal Multi-purpose Project, District, Ukhrul, Manipur State was accorded, in accordance with Section 2 of the Forest (Conservation) Act, 1980. It is requested to kindly read

1. "Compensatory Afforestation shall be raised and maintained over equivalent area of non-forest land (i.e. 595 ha) identified and provided by the State Government.
2. The User Agency shall transfer the cost of Compensatory Afforestation and its maintenance (incorporating the current wage structure) over equivalent non-forest land to the State Forest Department of Manipur.
3. Compensatory Afforestation shall be raised in consultation with Chief Wildlife Warden of the State due to use of chain linking fencing in the proposal.
4. The non-forest land so identified for Compensatory Afforestation shall be transferred and mutuated in favour of the State Forest Department.
5. The Catchment Area Treatment (CAT) Plan shall be implemented in accordance to the approved CAT plan for the purpose, in the main proposal. However, the User Agency shall immediately transfer the funds for the purpose to the respective State Forest Departments. The Regional Office, Bhopal will submit a detailed report before final approval."

as

1. The User Agency shall transfer the cost of Compensatory Afforestation and its maintenance (incorporating the current wage structure) over double degraded forest land to the State Forest Department of Manipur.
2. Compensatory Afforestation shall be raised in consultation with Chief Wildlife Warden of the State due to use of chain linking fencing in the proposal if required.

3. The Catchment Area Treatment (CAT) Plan shall be implemented in accordance to the approved CAT plan for the purpose, in the main proposal. However, the User Agency shall immediately transfer the funds for the purpose to the respective State Forest Departments. The Regional Office, Shillong will submit a detailed report before final approval.”

(Signed)
(B.K. Singh)
Sr. Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Manipur, Imphal.
2. The Nodal Officer, O/o the PCCF, Manipur, Imphal.
3. CCF(Central), Regional Office, Shillong.
5. Monitoring Cell, FC Division, MoEF, New Delhi.

(Signed)
(B.K. Singh)
Sr. Assistant Inspector General of Forests
F.No.8-98/88-PC  
Government of India  
Ministry of Environment and Forests  
(F.C. Division)  
Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi - 110003.  

To
The Principal Secretary (Forests),  
Forest Department,  
Government of Manipur,  
Imphal.

Sub.: Diversion of 595 ha (5.95 sq.km.) of forest land for Thoubal Multi-purpose Project, District, Ukhrul, Manipur State.

Sir,

I am directed to refer to the State Government's letter No. 56/1/82-For dated 03rd January, 1988 on the above mentioned subject, wherein prior approval of the Central Government for the diversion of 595 ha (5.95 sq.km.) of forest land for Thoubal Multi-purpose Project, District, Ukhrul, Manipur State was sought, in accordance with Section 2 of the Forest (Conservation) Act, 1980. The said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section 3 of the aforesaid Act.

II. After careful consideration of the proposal of the State Government of Manipur and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby agrees for the diversion of 595 ha (5.95 sq.km.) of forest land for Thoubal Multi-purpose Project, District, Ukhrul, Manipur State, subject to the fulfillment of the following conditions:-

1. Legal status of the diverted forest land shall remain unchanged.
2. Compensatory Afforestation shall be raised and maintained over equivalent area of non-forest land (i.e. 595 ha) identified and provided by the State Government. The User Agency shall transfer the cost of Compensatory Afforestation and its maintenance (incorporating the current wage structure) over equivalent non-forest land to the State Forest Department of Manipur.
3. Compensatory Afforestation shall be raised in consultation with Chief Wildlife Warden of the State due to use of chain linking fencing in the proposal.
4. The non-forest land so identified for Compensatory Afforestation shall be transferred and mutated in favour of the State Forest Department.
5. The non-forest land so identified for raising Compensatory Afforestation shall be notified as Reserve forest/Protected Forest under the provisions of the Indian Forest Act, 1927, by the State Government within six months. The Nodal Officer shall send a compliance report in this regard.
6. The State Government shall change the Net Present Value of the forest area diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 25.04.2008 and 09.05.2008 in IA No. 566 in WP(C) No. 202/1995 and as per the guidelines issued by this Ministry vide letters No. 5-3/2009 dated 05.02.2009 in this regard. An additional amount of the NPV of the diverted forest land, if any, becoming due after finalisation of the same by the Hon'ble Supreme Court of India shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
7. The Catchment Area Treatment (CAT) Plan shall be implemented in accordance to the approved CAT plan for the purpose, in the main proposal. However, the User Agency shall immediately transfer the funds for the purpose to the respective State Forest Departments. The Regional Office, Bhopal will submit a detailed report before final approval.
8. All the funds received from the User Agency under the project shall be transferred to in CAMRA Account No. 1597 in Corporation Bank, C.G.O. Complex, New Delhi-110003.
9. The tree felling in the forest area, so diverted, shall be only as per the actual requirement and with prior permission of the competent authority.
10. The forest land diverted shall not be used for any purpose other than that specified in the proposal.
11. The User Agencies shall make arrangements for free supply of fuel-wood preferably alternate energy source to laborers and staff working on the project site so as to avoid any pressure on the adjacent forest areas.
12. The User Agencies shall provide free water from the Project for all forestry related activities.
13. The User Agency shall comply with all the conditions stipulated by the PCCF, Manipur in his specific recommendations at the time of submitting the proposal to the Central Government.
14. The User Agency shall take up canal side plantations on both sides of the canals as per the schemes prepared by the respective Forest Departments, at the Project cost. The wildlife may be promoted in these plantations at the user agency's cost.
15. The User Agency shall ensure that there shall be no damage to the wildlife in the area.
16. The approval under the Forest (Conservation) Act, 1980 is subject to clearance under the Environment (Protection) Act, 1986, if required.
17. All other conditions under different rules, regulations and guidelines including environmental clearance and the Scheduled Tribes and other
Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 shall be complied with before transfer of forest land.

III. After receipt of the compliance report on the fulfillment of the above mentioned conditions contained in Para II above, from the State Government of Manipur, formal approval will be issued in this regard under Section-2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User Agency shall not be affected by the State Government till formal orders approving the diversion of forest land are issued by the Central Government.

Yours faithfully,

(B.K. Singh)
Sr. Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Manipur, Imphal.
2. The Nodal Officer, O/o the PCCF, Manipur, Imphal.
3. The CCF(Central), Regional Office, Shillong.
5. Monitoring Cell, FC Division, MoEF, New Delhi.

(B.K. Singh)
Sr. Assistant Inspector General of Forests