

N.D.O.H: 24.08.2023

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA**

Original Application No. 150/2022/EZ

IN THE MATTER OF: -

Pi Vamramchhuangi

...Applicant (s)

Versus

Union of India & Ors

...Respondent (s)

INDEX

<u>S. No</u>	<u>PARTICULARS</u>	<u>PAGE NO.</u>
1.	ACTION TAKEN REPORT AGAINST THE VIOLATORS ALONG WITH THE AFFIDAVIT ON BEHALF OF THE RESPONDENT- STATE OF MIZORAM	375 - 382
2.	<u>ANNEXURE -A</u> Copy of the letter dated 14.08.2023 from EF&CC Department to DFO.	383 - 395
3.	<u>ANNEXURE -B</u> Copy of the letter of the Divisional Forests Officer to EF&CC.	396
4.	<u>ANNEXURE -C</u> Copy of the offence report of Mini Sports Complex, Lunglei	397
5.	<u>ANNEXURE -D</u> Copy of the offence report of District Park, Lunglei	398
6.	<u>ANNEXURE -E</u> Copy of the offence report of Impounding Water Recharge Dam,Lunglei	399
7.	<u>ANNEXURE -F</u>	400 - 403

	Copy of the Criminal Complaint No. 37 of 2022.	
8.	<u>ANNEXURE -G</u> Copy of the offence report of Lungpuizawl village,Lunglei	404
9.	<u>ANNEXURE -H (Colly.)</u> Copies of the explanation seeking letters from DFO to Range Officers.	405 - 411
10.	<u>ANNEXURE -I</u> Copy of letter No.C.18015/1/2022-DFO(L)/519-521, dt. 16.08.2023.	412
11.	<u>ANNEXURE -J</u> Copy of letter No.C.18015/1/2022-DFO(L)/516-518, dt. 16.08.2023	413
12.	<u>ANNEXURE -K</u> Copy of letter No.C.18015/1/2022-DFO(L)/513-515, dt. 16.08.2023.	414
13.	<u>PROOF OF SERVICE</u>	415

FILED BY:

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Enroll: No. Mah/4037/2008.

Date: 23.08.2023

BEFORE THE NATIONAL GREEN TRIBUNAL**EASTERN ZONE BENCH, KOLKATA**

Original Application No. 150/2022/EZ

IN THE MATTER OF: -

Pi Vamramchhuangi ...Applicants (s)

Versus

Union Of India & Ors. ...Respondents (s)

**ACTION TAKEN REPORT ON BEHALF OF THE
RESPONDENT STATE- MIZORAM****MOST RESPECTFULLY SHOWETH:**

1. That the present report is filed on behalf of the Respondent State-Mizoram pursuant to the order dated 03.08.2023 passed in Original Application No. 150 of 2022 by which this Hon'ble Tribunal was pleased to issue the following direction:

“The State Respondents shall also submit their reply to the affidavit dated 02.06.2023 filed by the MoEF&CC to show as to what action has been taken against the violators on the basis of the Inspection Report filed by the Ministry of Environment, Forests and Climate Change (MoEF&CC), by the next date of listing.”

2. That pursuant to the order dated 03.08.2023 passed by this Hon'ble Tribunal and in compliance of the same on 14.08.2023, the office of the Principal Chief Conservator of Forests (Environment,

Forests & Climate Change Department Aizawl, Mizoram) vide letter No. B. 13028/29/2022-FC/PCCF/280-81, requested the Divisional Forest Officer, Lunglei Forest Division to submit information on action as per law and under the provisions of the Mizoram Forest Act, 1955 and the Forest (Conservation) Act, 1980 has been registered against the officers responsible for construction of:

- a) Mini Sports Complex, Lunglei
- b) District Park, Lunglei
- c) Impounding Water Recharge Dam, Lunglei
- d) The 6 (six) Stone Quarries in Zobawk
- e) Lungpuizawl village, Lunglei

are located within Tlawng Hnar Reserved Forests or Tlawng Riverine Reserve Forest, or parts or in both and also to call for explanation of all concerned Range Officers for failure to detect the offence and prevent commission of offence.

Copy of the letter dated 14.08.2023 from Environment, Forests & Climate Change Department to Divisional Forest Officer is attached herewith and marked as **ANNEXURE- A**

3. That thereafter, on 16.08.2023, the Divisional Forest Officer, Lunglei Forests Division vide letter No. c. 18015/1/2022-DFO (1)/522-536, submitted their action taken report.

Copy of the letter dated 16.08.2023 of the Divisional Forests Officer is attached herewith and annexed as **ANNEXURE -B**

That the action taken report is as follows:

Mini Sports Complex, Lunglei - Offence report has been registered vide No. C 18015/1/2022-DFO(L)/499-505. Dated 16.8.2023. That by this report it was stated that the Mini Sports Complex has

been constructed since July 2011 by Sports and Youth Services Department, Lunglei headed by District Sports and Youth officer. That for the said construction no permission was obtained from the competent authority inside Reserved Forest and which contravened Section 23(1) and Section 24(5) of The Mizoram (Forests) Act, 1955, which is punishable under section 23 and 24 of the said Act.

Copy of the offence report dated 16.08.2023 for Mini Sports Complex, Lunglei is attached herewith and marked as **ANNEXURE -C**

District Park, Lunglei - Offence report has been registered vide No. C 18015/1/2022-DFO(L)/491-498. Dated 16.8. 2023. That by this report it was stated that the District Park, Lunglei was constructed by Local Administration Department, Lunglei, Mizoram headed by District Local Administration Officer inside Tlawng hnar Reserved Forest and Tlawng Riverine Reserved Forests during 1995-1996 and inaugurated on 20.08.1996.

That for the said construction no permission was obtained from the competent authority inside Reserved Forest and which contravened Section 23(1) and Section 24(5) of The Mizoram (Forests) Act, 1955, which is punishable under section 23 and 24 of the said Act.

Copy of the offence report dated 16.08.2023 for District Park, Lunglei is attached herewith and marked as **ANNEXURE - D**

Impounding Water Recharge Dam, Lunglei - Offence case has been registered vide No. C 18015/1/2022-DFO(L)/486-490. Dated 16.8.2023. That by this report it was stated the Impounding Water Recharge Dam, Lunglei was constructed by the PHE Department, Lunglei, Mizoram headed by Executive Engineer

(LWS Maintenance Division) inside Tlawng hnar Reserved Forest during 2004-2005 which was inaugurated on 17.02.2005.

That for the said construction no permission was obtained from the competent authority inside Reserved Forest and which contravened Section 23(1) and Section 24(5) of The Mizoram (Forests) Act, 1955, which is punishable under section 23 and 24 of the said Act.

Copy of the offence case dated 16.08.2023 is attached herewith and marked as **ANNEXURE -E**

The 6 (six) Stone Quarries in Zobawk - Criminal Complaint No.37 of 2022 was filed against the six stone quarry operators inside Tlawng hnar RF.

Copy of the Criminal Complaint no. 37/2022 for Stone Quarries in Zobawk is attached herewith and marked as **ANNEXURE – F**

Lungpuizawl village, Lunglei - Offence report has been registered vide No. C 18015/1/2022-DFO(L)/506 -512. Dated 16.8.2023. That by this report it was stated that Lungpuizawl village, Lunglei was notified by the Local Administration Department, Mizoram vide notification no. LAD/VC/94 dated 4th April, 1997 inside Tlawng hnar Reserved Forest.

That in this connection no permission was obtained from the competent authority inside Reserved Forest and which contravened Section 23(1) and Section 24(5) of The Mizoram (Forests) Act, 1955, which is punishable under section 23 and 24 of the said Act.

Copy of the offence report dated 16.08.2023 for Lungpuizawl village is attached herewith and marked as **ANNEXURE – G**

4. That the Divisional Forests Officer, Lunglei has in the same letter dated 16.08.2023, stated that explanation has been called from all concerned Officers namely-
1. Pu R. Lalneihmawia, MFS (Rtd.)
 2. Pu ZD Zonuntlunga, MFS (Rtd.)
 3. Pu Sangmawia Poonte, Forest Ranger (Rtd.)
 4. Pu KM Lalmachhuana, MFS (Rtd.)
 5. Pu Vanlalhmuaka, Forest Ranger (Rtd.)
 6. Pu Vanlalzarzoliana, Forest Ranger, Lunglei Forest Range
 7. Pu Vanlalmalsawma, Forest Ranger (Rtd.)
- during whose tenure violation took place/continued to take place. Copies of the show-cause letters are attached herewith and marked as **ANNEXURE - H (Colly.)**

5. That moreover, the Divisional Forest Officer, Lunglei has requested the office concerned for the name/ names and designation of officers who executed the construction for taking action against them as per provisions of the Forests (Conservation) Act, 1980. That the details of the above-mentioned request letters are as follows:

Mini Sports Complex, Lunglei - Vide letter No.C.18015/1/2022-DFO(L)/519-521, dated 16.08.2023 to the District Sports and Youth Officer, Lunglei. Copy of the letter dated 16.08.2023 is attached herewith and marked as **ANNEXURE - I**

District Park, Lunglei and Lungpuizawl village, Lunglei - Vide letter No.C.18015/1/2022-DFO(L)/516-518, dated 16.08.2023 to the District Local Administration Officer, Lunglei. Copy of the letter dated 16.08.2023 is attached herewith and marked as **ANNEXURE - J**

Impounding Water Recharge Dam, Lunglei - Vide letter No.C.18015/1/2022-DFO(L)/513-515, dated 16.08.2023 to the Executive Engineer, PHE Department (LWS Maintenance Division).

Copy of the letter dated 16.08.2023 is attached herewith and marked as **ANNEXURE - K**

6. That action on all violations have been taken up by the Environment, Forests & Climate Change Department of Aizawl, Mizoram.
7. That the answering Respondent is ready and willing to abide by each and every direction passed by this Hon'ble Tribunal in letter and spirit and further seeks liberty to file additional affidavit in course of the present matter, as and when directed by this Hon'ble Tribunal or required in the facts and circumstances of the case.
8. That it is humbly submitted that the answering respondent undertakes to implement any other direction of this Hon'ble Tribunal in this regard.
9. That no part of this affidavit is false and nothing material has been concealed there from.



FILED BY:

Siddhesh Kotwal

Advocate for the Respondent State of Mizoram
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Ph: 011-41045066, Mob: 9871656128
Enroll: No. Mah/4037/2008

Date: 22.08.2023

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
O.A. No.150 of 2022**

IN THE MATTER OF:

PI VANRAMCHHUANGI

... APPLICANT

VERSUS

UOI & ORS

... RESPONDENT(S)

AFFIDAVIT

I, H.C. Zonunthara S/o Pu Liantusanga, aged about 54 years, Under Secretary, EF & CC Deptt (Secretariat) Aizawl, Mizoram, do hereby solemnly affirm and declare as under:-

- 1) That I am the Under Secretary of the Department of Environment Forest and Climate Change Government of Mizoram and as such I am authorized to swear and affirm the instant Affidavit on behalf of Respondent in the captioned matter. The instant affidavit has been drafted as per my instructions based on knowledge as derived from the official records maintained by the State in this regard and believed by me to be true and correct.
- 2) That I have read and understood the contents of the accompanying Report and I say that the contents mentioned therein are true and correct to my knowledge and belief the same has been drafted as per my instructions.
- 3) That the annexures filed along with the Report are true and correct copies of its originals.



(Handwritten Signature)

DEPONENT

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 22st day of August, 2023.

Identified by:

[Signature] 22/8/23
(C. LALREMRUATI)
Advocate

[Signature]

DEPONENT

[Signature]
22/8/23

J.N. BUALTENG
Advocate & Notary Public
Aizawl : Mizoram

Notarial Registration

No. 33/8

Date 22/8/23

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

No.B.13028/29/2022-FC/PCCF/280-81

Dated Aizawl the 14th August, 2023

To

✓ Divisional Forest Officer,
Lunglei Forest Division.

Subj: *National Green Tribunal Order dated 03.08.2023 in Original Application
No. 150/2022/EZ-Pi Vanramchhuangi Vrs. UOI & Ors - reg.*

With reference to the subject cited above, I am directed to inform you that in Para 7 of the NGT order the State Respondents have been directed to submit a reply to the affidavit dated 02.06.2023 filed by the MoEF&CC to show as to what actions have been taken against the violators on the basis of the inspection report filed by the MoEF&CC by the next date of hearing i.e. 24.08.2023. Therefore, in this connection, you are requested to take action and submit information as below-

- 1) Whether any Offense case has been registered against the Officers responsible for construction of Mini Sports Complex; District Park; Impounding Water Recharge Dam. If action is already taken as above, then copies of the related documents may be provided. If not, then an Offense Case may be registered immediately against all those concerned and all related documents may be provided to this office by 16.08.2023 afternoon without fail.
- 2) The latest development in the Criminal Complaint No. - 37 of 2022 under Section 190 (1) (A) CrPC, 1973 filed on 23.11.2022, against illegal Quarry Permit holders in Tlawngnar Reserve Forest area before the Chief Judicial Magistrate, Lunglei District may be informed. The copies of the latest orders, if any, of the court may be submitted to this office by 16.08.2023 afternoon without fail.


Further, explanation of all the concerned Range Officers shall be called for their failure to detect the offense and prevent commission of offense in respect of Mini

-2-

Sports Complex; District Park; Impounding Water Recharge Dam and that why action shall not be taken against them as per Conduct Rules and the Forest (Conservation) Act, 1980 (FC Act) and a copy of the explanation calling letter shall be submitted to this office by 16.08.2023 without fail.

Further, Lungpuizawl Village has also been found to be established inside Tlawngnar and notified by the L.A.D vide notification dated 04.04.1997. You may therefore, also take action under the Mizoram Forest Act, 1955 against the persons responsible for establishment of the said village and action under FC Act for the government officials responsible for establishment of the said village may also be taken including the forest staff and the documents related to the actions taken shall be submitted to this office by 16.08.2023.

Encl: As Above.


14/8/23
(LALRAMMAWII SAILO)
Conservator of Forest (FC)


Memo No.B.13028/29/2022-FC/PCCF

Dated Aizawl the

August, 2023

Copy to:

Conservator of Forests, Southern Circle for information.


Conservator of Forest (FC)

Item No.02

Court No.1

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)

Original Application No.150/2022/EZ
(I.A. No.36/2023/EZ)

Pl Vanramchhuangi

Versus

Applicant(s)

Union of India & Ors.

Respondent(s)

Date of hearing: 03.08.2023

CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER

For Applicant(s) : Gaurav Kumar Bansal, Advocate (in Virtual Mode)

For Respondent(s): Ms. Anamika Pandey, Advocate for R-1 (in Virtual Mode),
Mr. Siddhesh Kotwal, Advocate for R-2 to 5 (in Virtual Mode)

ORDER

1. Mr. Gaurav Kumar Bansal, learned Counsel is present (in Virtual Mode) on behalf of the Applicant.
2. Affidavit dated 31.07.2023 has been filed on behalf of the Respondent Nos.2 to 5, State Respondents, State of Mizoram; the same is taken on record.
3. Compliance affidavit dated 31.07.2023 has been filed on behalf of the Chief Secretary, State of Mizoram; the same is taken on record.
4. Mr. Gaurav Kumar Bansal, learned Counsel for the Applicant states that the affidavit dated 31.07.2023 filed by the State Respondents, State of Mizoram has been served to him only yesterday. Mr. Bansal prays for and is granted a week's time for filing his rejoinder affidavit.
5. Ms. Anamika Pandey, learned Counsel appearing for Respondent No.1, Ministry of Environment, Forests and Climate Change (MoEF&CC) states that the affidavit dated 31.07.2023 filed by the State Respondents has not been served on her. Mr. Siddhesh Kotwal, learned Counsel for the State Respondents shall serve the e-

copy/soft copy of the affidavit dated 31.07.2023 along with all its annexures on Ms. Amrita Pandey within the course of the day.

6. Ms. Anamika Pandey, learned Counsel for MoEF&CC shall provide the e-copy/soft copy of the affidavit dated 02.06.2023 along with all its annexures to Mr. Siddhesh Kotwal, learned Counsel today itself.
7. The State Respondents shall also submit their reply to the affidavit dated 02.06.2023 filed by the MoEF&CC to show as to what action has been taken against the violators on the basis of the Inspection Report filed by the Ministry of Environment, Forests and Climate Change (MoEF&CC), by the next date of listing.
8. List on 24.08.2023.

I.A. No.36/2023/EZ

1. The Interlocutory Application No. 36/2023/EZ has been taken up.
2. This Application has been filed seeking exemption of Dr. Renu Sharma, Chief Secretary, State of Mizoram.
3. We have considered the grounds taken in the affidavit.
4. The I.A. No. 36/2023/EZ is allowed.
5. The personal appearance of Dr. Renu Sharma, Chief Secretary, State of Mizoram is dispensed with for future unless specifically required.

.....
B. Amit Sthalekar, JM

.....
Prof. A. Senthil Vel, EM

August 03, 2023,
Original Application No.150/2022/EZ,
(I.A. No.36/2023/EZ)
SKB

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

IN

ORIGINAL APPLICATION NO.150/2022/EZ

IN THE MATTER OF:

Pi Vanramchhuangi

.....Petitioner

Versus

Union of India &Ors

.....Respondent(s)

AND IN THE MATTER OF:

Reply Affidavit on behalf of
Ministry of Environment, Forest
& Climate Change (Respondent
No. 1)

.....Respondent

INDEX

Sl.No.	Particulars	Page Nos.
1.	Reply Affidavit on behalf of Ministry of Environment, Forest & Climate Change.	1-8
2.	ANNEXURE-R/1-A Copy of letter RONE/E/NGT/O.A No. 150/2022/EZ/MZ/3159-60, dated 20.02.2023 along with Site Inspection Report carried out on 20.01.2023 by IRO, Shillong.	9-34

PLACE: SHILLONG
DATED: 02/06/2023

COUNSEL FOR RESPONDENT:

Ms. Anamika Pandey,
Hasting Chambers,
7C, Kiran Shankar Roy Road,
2nd Floor, Room No. 6,
Kolkata-700001.

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

IN

ORIGINAL APPLICATION NO.159/2022/EZ

IN THE MATTER OF:

PI Vanramchhuangl

.....Petitioner

Versus

Union of India & Ors

.....Respondent(s)

REPLY AFFIDAVIT ON BEHALF OF MINISTRY OF ENVIRONMENT,
FOREST AND CLIMATE CHANGE, RESPONDENT NO. 1

I, Ms. Laetitia Jean Sylemiong, D/o (L) Andrew Rancee aged about 46 years, presently working as Deputy Inspector General of Forests (C) in the Ministry of Environment, Forest & Climate Change (MoEF&CC), I.R.O,

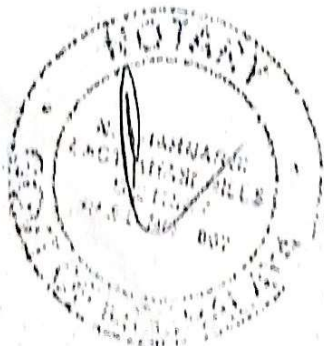
Shillong do hereby solemnly affirm and state as under:

1. That, the deponent in her official capacity is conversant with the facts of the case and duly authorized to file the present reply affidavit of this answering respondent No.1.

Sd/- Submissions No. 03-

Date: 02/05/2022

*Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
Eastern Regional Office, Shillong*

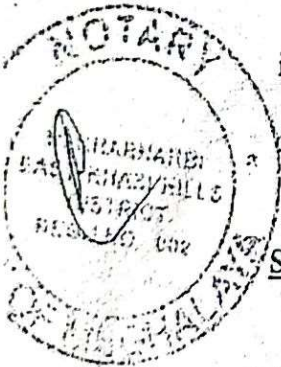


2. That at the onset, I state that this respondent, Ministry of Environment, Forest & Climate Change is the nodal agency of the Central Government for the planning, promotion, co-ordination and overseeing the implementation of India's environment and forest policies. The primary concern of the Ministry is the implementation of policies and guidelines relating to conservation of the country's forests, lakes and rivers, its biodiversity, natural resources and wildlife. That most of the averments contain in the application pertains to the State Respondent and the same may be testified by the State Government who is also the respondents in the instant matter as the land is under the control and management of the concerned State Government.

3. That, the deponent has been served with a copy of the Original Application in which the deponent have perused and understood the contents / allegations / averments / statements and / or tenor thereof made in the said application. However, nothing stated in the application may be deemed to have been admitted by this answering respondent no. 1.

Statement of Facts

4. It is humbly submitted that the 'land' is a subject matter of State Government. The forest areas and the legal boundaries thereof are determined and maintained by the concerned State Government. That



(Signature)
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong

being the repository of land records, State Government has the primary responsibility to determine status of any parcel of land, giving due regards to gazette notifications, provisions under State and Central Acts and concerned judgements and directions of the Hon'ble Supreme Court.

5. That prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 (FC Act) is required for carrying of any non-forestry activity on forest land and no State Government or any authority shall make a de-reservation of forest land or use of any forest land for non-forest purposes without prior approval of the Central Government.

6. It is submitted that the answering respondent has not received any proposal for diversion of forest land under Section 2 of the Forest (Conservation) Act, 1980 from the State Respondents till date with respect to the alleged illegal construction.

7. The answering respondent humbly submits that in response to the Legal Notice dated 04.07.2022 preferred by the applicant, the said Legal Notice was forwarded by this respondent to the State Respondents vide letter dated 18.07.2022 with a request to stop illegal construction, if any, carried out on forest land immediately and take appropriate action as per

[Signature]
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong



law and under the provisions of FCA, 1980 and thereafter submit Action Taken Report to this respondent for further action. Furthermore, based on the said letter, the regional office (Integrated Regional Office (IRO), Shillong) of this respondent carried out site inspection on the alleged violations within Tlawng Hnar Reserved Forest and Tlawng Riverine Reserved Forest on 20.01.2023. The team from IRO, Shillong were accompanied by State Forest Officials consisting of Divisional Forest Officer, Lunglei, Range Officer, Lunglei and Forester, Lunglei. IRO, Shillong submitted its Site Inspection Report to the Ministry vide letter RONE/E/NGT/O.A No. 150/2022/EZ/MZ/3159-60, dated 20.02.2023. The Site Inspection Report concluded that *"The Inspection done for the Mini-Sports Complex, District Park, Impounding Water Recharge Dam and the 6 (six) Stone Quarries in Zobawk and Lungpuizawl Village were all seen to be located within Tlawng Hnar RF or Tlawng RRF, or parts in both. All the structures were constructed without approval of Central Govt. which constitutes violation of Forest Conservation Act, 1980....."*

It is clear that there has been gross dereliction of duty or utter negligence on the part of the Forest Officers that violation of this extent has taken place. The Forest Officers started detecting violation only after many PILs, Court Cases etc., started for protection of Tlawng Hnar RF and Tlawng RRF, after huge infrastructure have already come

(Signature)
Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong



up. Nevertheless these issues were not prevalent at the time of the conception of the plans and implementation of this project way back in 2011.

The DFO, Lunglei started to write to Districts Sports & Youth Services Officer, Lunglei regarding Mini Sports Complex in his letter dated 5.7.2021, when actually all construction had already been almost completed. This letter dated 5.7.2021 is treated as date of detection of offence although the construction of the Sports Complex started on 29.07.2011.

As for the District Park, Impounding Water Recharge Dam and the Stone Quarries there is no communication regarding Forest Clearance under Forest Conservation Act, 1980."

The Site Inspection Report also suggested steps to be taken as under:

1. The Local Administration Department (LAD) and the Sports Department should submit Forest Clearance as per FC Act, 1980. If there are problems with regard to area for Compensatory Afforestation related to the application for Forest Clearance, then it should be resolved at the earliest in connection with the Sports Complex. The Sports Department has applied for FC only on 25.02.2022 for the Mini Sports Complex for which is already more or less completed.

[Handwritten Signature]
 Deputy Inspector General of Forests (Central)
 Govt. of India Ministry of Environment, Forest & Climate Change
 North Eastern Regional Office, Shillong



2. The same should apply to the District Park for FC which is under the Local Administration Department (LAD) and Land & Revenue Department, Govt. of Mizoram. Also, for the Zobawk Impounding Recharge Dam and the 6 (Six) Stone Quarries need FC.
3. Lungpuizawl Village has been established inside the Tlawng Hnar Reserve Forest and the village notified by the Local Administrative Department, Government of Mizoram, vide Notification dated 04.04.1997 in spite of the fact that the notification of RF was dated 04.05.1978.

The Government of Mizoram should ensure that henceforth no houses/buildings/any structure along with stopping of issuing new Land Settlement Certificates, Periodic Pattas, House Pass inside both Tlawng Hnar RF and Tlawng RRF as encroachment is already too large scale.

Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
K. J. Eastern Regional Office, Shillong

4. The Judgment of Hon'ble NGT in OA No. 145/2017/EZ (M.A No. 13/2021/EZ) dated 19.01.2022 on the use of Chalfilh Reserved Forest is a turning point which should be an example for restoring forest to its original form. This should be the same yardstick for dealing with these encroachments also.



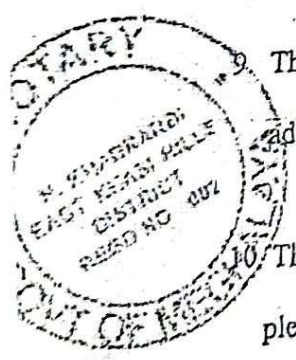
5. As per the FC Act, 1980 for violation there is the provision for Penalty for contravention of the provisions of the Act which is Section 3A and 3B. The Forest Conservation Rules 2003 also has provisions Ex-post Facto approval and Penal Provisions which is Clause 1.21.

Copy of letter RONE/E/NGT/O.A No. 150/2022/EZ/MZ/3159-60, dated 20.02.2023 along with Site Inspection Report carried out on 20.01.2023 by IRO, Shillong is enclosed as ANNEXURE-R/1-A.

8. That in view of the forgoing submissions, this reply affidavit being filed by this respondent No. 1 be admitted and accepted by this Hon'ble Tribunal.

That this answering respondent craves leave of this Hon'ble Court to file additional information, if any till pendent lite.

That in view of the forgoing submissions, the Hon'ble Court may be pleased to pass such or further Orders as it may deem fit and proper in the given circumstances of this case.



Identified By:

Barua

Advocate, Shillong

Solemnly Affirmed before me this Day
02/04/2023
By *A. Barua* Adversely Affected
I Certify that the contents of the Affidavit
are read over and Explained to the Deponent
who verified the same before me

DEPONENT


Deputy Inspector General of Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
North Eastern Regional Office, Shillong

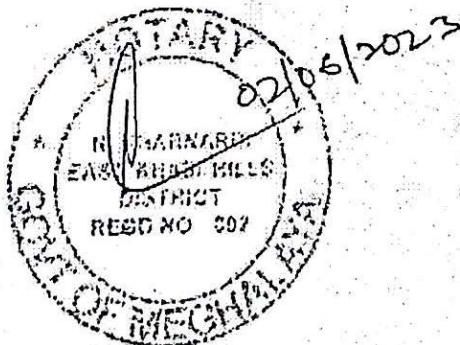
NELSON KHARNABBI
NOTARY
East Khasi Hills District
Government of Meghalaya
02/06/2023

VERIFICATION

I, the above named deponent do hereby verify that the contents of the above affidavit are true and correct to my knowledge and area based on official records and nothing material is concealed therein.

Verify at Shillong on this 02nd day of June, 2023.


Deputy ~~SECRETARY~~ SECRETARY Forests (Central)
Govt. of India Ministry of Environment, Forest & Climate Change
Rural Extension Regional Office, Shillong



ANNEXURE-B

ANNEXURE-B

No.C.18015/1/2022-DFO(L)/ 522-536
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

396

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

Dated Lunglei, the 16th Augur 2023

To,

✓
The Principal Chief Conservator of Forests
Aizawl : Mizoram

Subject : *NGT Order dated 38.2023 in OA No.150/2022/EZ- Pi Vanramchhuangi
Vs UOI & Ors - reg.*

Reference : *No.B.13028/29/2022-FC/PCCF/77 dt 14. 8.2023*

Sir,

In response to your letter mentioned at reference above, I have the honour to submit herewith action taken report as follows :

- (a) State Sports Academy (Also called Mini Sports Complex), Zobawk – Offence report has been registered vide No. C 18015/1/2022-DFO(L)/499-505. Dt.16.8.2023 (Copy at annexure – I)

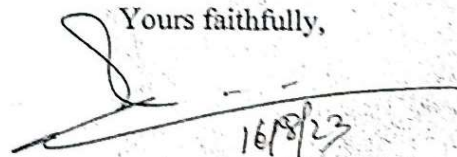
(b) District Park : Offence report has been registered vide No. C 18015/1/2022-DFO(L)/491-498. Dt.16.8.2023 (Copy at annexure – II)

(c) Impounding Water Recharging Dam : Offence case has been registered vide No. C 18015/1/2022-DFO(L)/486-490. Dt.16.8.2023 (Copy at annexure – III)
2. Case has been registered against the six stone quarry operators inside Tlawng hnar RF(Criminal Complaint No.37 of 2022). All the six accused were summoned to appear in the court for the first time on 12.12.2022 vide order No. CrI. Comp. No. 37/22/JMFC/124 Dt 30.11.2022 (Copy at annexure – IV). Witnesses were summoned to appear in the court on 30.5.2023 and all of them appeared. Copy of summon served to one of the witnesses is enclosed as annexure –V)

Explanation has been called from all the concerned Range Officers during whose tenure the violation took place/continued to take place (Copies enclosed at annexure- VI to XII).
3. In case of Lungpuizawl village, Offence report has been registered vide No. C 18015/1/2022-DFO(L)/506 -512 . Dt.16.8.2023 (Copy at annexure – XIII)

Enclo : As above

Yours faithfully,


16/8/23

(PC LALCHHANDAMA)
Divisional Forest Officer

etc.

ANNEXURE-C

No.C.18015/1/2022-DFO(L)/499-505
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

397

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

Dated Lunglei, the 16th August, 2023

To,

The Chief Judicial Magistrate
Lunglei ; Mizoram

Subject : ***Offence Report No 3 / 2023 in respect of illegal construction of State Sports Academy (Mini sport complex) inside Tlawng Riverine Reserved Forest.***

Sir,

Referring the subject mentioned above, I have the honour to state that State Sports Academy (Mini Sports complex) has been constructed since July 2011 by Sport and Youth Services Department, Lunglei, headed by District Sports & Youth Officer which is inside Tlawng Riverine Reserved Forest.

In this connection, no permission has been obtained from the competent authority for the construction / establishment inside Reserved Forest which contravened section 23(1) and section 24(5) of The Mizoram (Forest) Act, 1955 which is punishable under section 23 and 24 of the said Act.

Therefore, I have the honour to pray this Hon'ble court to trial the case and punish the concerned person / persons as per the above mentioned Act.

Enclo :

1. Tlawng Riverine Reserved Forest notification.
2. Map showing the location of violation
3. Photo of the *State Sports academy*

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

- ✓ The Principal Chief Conservator of Forests, Mizoram Aizawl for kind information.


4th 16/8/23
Divisional Forest Officer

ANNEXURE-D

ANNEXURE-D

No.C.18015/1/2022-DFO(L)/
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

398

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

To,

Dated Lunglei, the 16th August, 2023

The Chief Judicial Magistrate
Lunglei ; Mizoram

Subject : *Offence Report No 2 / 2023 in respect of illegal construction / establishment of District Park, Lunglei inside Tlawng hnar Reserved Forest / Tlawng Riverine Reserved Forest.*

Sir,

Referring the subject mentioned above, I have the honour to state that District Park, Lunglei was constructed / established by Local Administration Department, Lunglei, Mizoram, headed by District Local Administration Officer inside Tlawng hnar Reserved Forest and Tlawng Riverine Reserved Forest during 1995-1996 which was inaugurated on 20.8.1996. It may be mentioned here that the District Park is in the river Tlawng itself and the river Tlawng divides it into two. One side is around 80% of the whole District Park area and is inside Tlawng hnar Reserved Forest and the other side is around 20% of the area and is inside Tlawng Riverine Reserved Forest.

In this connection, no permission has been obtained from the competent authority for the construction / establishment inside Reserved Forest which contravened section 23(1) and section 24(5) of The Mizoram (Forest) Act, 1955 which is punishable under section 23 and 24 of the said Act.

Therefore, I have the honour to pray this Hon'ble Court to trial the case and punish the concerned person / persons as per the above mentioned Act.

- Encl : 1. Tlawng hnar Reserved Forest notification
2. Tlawng Riverine Forest notification.
3. Map showing the location of violation
4. Photo of the District Park.

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to : ✓

1. The Principal Chief Conservator of Forests, Mizoram Aizawl for kind information.


16/8/23
Divisional Forest Officer

No.C.18015/1/2022-DFO(L)/ 486-490
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

399

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

To, Dated Lunglei, the 16th August, 2023

The Chief Judicial Magistrate
Lunglei ; Mizoram

Subject : Offence Report No 1 / 2023 in respect of illegal construction of water recharging dam inside Tlawng hnar Reserved Forest

Sir,

Referring the subject mentioned above, I have the honour to state that Zobawk impounding water recharging dam was constructed by PHE Department, Lunglei, Mizoram, Headed by Executive Engineer (LWS Maintenance Division) inside Tlawng hnar Reserved Forest during 2004-05 and was inaugurated on 17.2.2005.

In this connection, no permission has been obtained from the competent authority for the construction inside Reserved Forest which contravened section 23(1) and section 24(5) of The Mizoram (Forest) Act, 1955 which is punishable under section 23 and 24 of the said Act.

Therefore, I have the honour to pray this Hon'ble Court to trial the case and punish the concerned person / persons as per the above mentioned Act.

Enclo : 1. Tlawng hnar Reserved Forest notification
2. Tlawng hnar RF map showing the location of violation
3. Photo of the water recharging dam.

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

✓ 1. The Principal Chief Conservator of Forests, Mizoram Aizawl for kind information.


16/8/23
Divisional Forest Officer

IN THE COURT OF THE JUDICIAL MAGISTRATE FIRST CLASS-II
LUNGLEI, MIZORAM



Criminal Complaint No. 37 of 2022

U/s 190(1)(a) Cr.PC

Vanlalzarzoliana

Range Officer ✓

Lunglei Forest Range

:

Complainant

Versus

1. Malsawma Murray
R/o Chanmari, Lunglei

2. V. Lalbiaktluanga
R/o Chanmari, Lunglei

3. Thanchhuma
R/o Chanmari, Lunglei

4. Thanmawia Chawngthu
R/o Rahsiveng, Lunglei

5. Raymond Zonunsanga
R/o Chanmari, Lunglei

6. V. Malsawma
R/o Lunglawn

:

Respondent

PRESENT

JH. LALPARMAWII

Judicial Magistrate First Class-II

For the Complainant: Mrs. Lalhunruati Chhangte, Ld.APP

For the Respondent: NIL

5. Raymond Zonunsanga R/o Chanmari, Lunglei from whom Suahdur (2) and Bawngtuthlawh (1) no's were seized.

6. V. Malsawma R/o Lunglawn.

The Complaint is accompanied by Seizure Memo, Statement of accused persons and Statement of witnesses marked as Annexure - II-XL, Tlawngnar Reserved Forest Notification marked as Annexure XLI, Authorization letter marked as Annexure XLII, Constitution of verification team marked as Annexure-XLIII and Hon'ble Guwahati High Court, Aizawl Bench Order marked as Annexure-XLIV is accepted and registered as Criminal Complaint No. 37/2022.

Complaint is considered to have contained all the necessary details that make out an offence; hence, further investigation is unnecessary. Thus, cognizance is taken. Upon taking cognizance, all the accused are hereby directed to appear in person on 12.12.22 for appearance.

Issue summon to accused.

Give copy of order to concern persons.

S/ **JH. LALPARMAWII**
Judicial Magistrate 1st Class-II
Lunglei, Mizoram

Memo No.Crl.Comp.No.37/22/JMFC/124: Dated Lunglei, the 30th Nov, 2022

Copy to:-

1. All parties
2. Case record.

Peshkar
PESHKAR
Peshkar

to
Judicial Magistrate, 1st Class
Lunglei

**ORDER****Dated 30th Nov, 2022**

Seen and received Complaint u/s 190(1)(a) Cr.PC forwarded by Lalhunruati Chhange, Asst. Public Prosecutor on endorsement from Id.CJM, Lunglei.

Complaint is submitted by Vanlalzarzoliana, Range Forest Officer, Lunglei Forest Range (hereinafter called the Complainant). Complainant reports that 6 persons were found to have operated stone quarries despite several request and information given to them to stop their activities in Tlawngnar Reserved Forest Areas. These 6 persons were caught to have continued their stone quarries on inspection conducted in 08.07.2022, 11.08.2022, 09.11.2022 and 10.11.2022. The operations violated section 23(1) and section 24(4) of the Mizoram (Forest) Act, 1955 which is punishable under section 23(2) and 24(6) of the Act.

Particulars of accused all of whom are resident of Lunglei are as under:-

1. Malsawma Murray R/o Chanmari, Lunglei from whom Tuboh (2), Suahdur (2), Bawngtuthlawh (1) and Stone crusher (2) no's were seized.
2. V. Lalbiaktluanga R/o Chanmari, Lunglei from whom Bawngtuthlawh (1), Tuboh (1) and Thirtieng (1) no's were seized.
3. Thanchhuma R/o Chanmari, Lunglei from whom Suahdur (1) was seized.
4. Thanmawia Chawngthu R/o Rahsiveng, Lunglei from whom Suahdur (1) was seized.

ANNEXURE

IN THE COURT OF SHRI JH. LALPARMAWII
JUDICIAL MAGISTRATE 1st CLASS, LUNGLEI DISTRICT, MIZORAM,
SUMMON TO DEFENDANT/RESPONDENT
Cr. Complaint No. 37/2023

Shri T. Lalitarpula
Forester
Farm Veng
Ph No: 9862656116

Whereas your attendance is to answer the charge of U/S 190(1)(a) CrPC
You are hereby required to appear before the Court of Judge/Magistrate, Lunglei on 30th day of May, 2023 at 10:30 O'clock. Herein fail not.

Given under my hand and seal of the Court on this 3rd day of May, 2023

Sd/-
JH. LALPARMAWII
Judicial Magistrate First Class
Lunglei District, Lunglei

Memo No. 129/JMFC (L)/2023

Forwarded to Process Server for service and return.

Peshkar
PESHKAR

Judicial Magistrate 1st Class
Lunglei District, Lunglei

ANNEXURE-G

ANNEXURE -G

No.C.18015/1/2022-DFO(L)/ 506 - 512
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

404

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

To,

Dated Lunglei, the 16th August, 2023

The Chief Judicial Magistrate
Lunglei ; Mizoram

Subject : Offence Report No 4 / 2023 in respect of illegal establishment of Lungpuizawl village inside Tlawng hnar Reserved Forest

Sir,

Referring the subject mentioned above, I have the honour to state that Lungpuizawl village was notified by Local Administration Department, Mizoram vide notification No-LAD/VC/94 Dt 4th April 1997 which is inside Tlawng hnar Reserved Forest

In this connection, no permission has been obtained from the competent authority for the establishment of Lungpuizawl inside Tlawng hnar Reserved Forest which contravened section 23(1) and section 24(5) of The Mizoram (Forest) Act, 1955 which is punishable under section 23 and 24 of the said Act.

Therefore, I have the honour to pray this Hon'ble court to trial the case and punish the concerned person / persons as per the above mentioned Act.

Encl : 1. Tlawng hnar Reserved Forest notification
2. LAD notification regarding Lungpuizawl Village
3. Map showing the location of violation
4. Photo of Lungpuizawl Village.

Yours faithfully,


(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

The Principal Chief Conservator of Forests, Mizoram Aizawl for kind information


16/8/23
Divisional Forest Officer

No.C.18015/1/2022-DFO(L)/ 477-479
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

405

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

To,

Dated Lunglei, the 16th August, 2023

Pu R. Lalneihmawia, MFS(Rtd)

Subject : *Call for explanation – reg.*

Reference : *NGT Order dated 3.8.2023 in OA No.150/2022/EZ- Pi Vanramchhuangi Vs UOI & Ors- reg.*

Sir,

Referring the subject mentioned above, this is to state that various encroachments in and around Tlawng hnar Reserved Forest has been taking place for which the Hon'ble NGT passed order after a series of hearings.

In this connection, you are found to be responsible for violation of The Mizoram (Forest) Act, 1955 and The Forest (Conservation) Act, 1980 as the following violation took place / continued to take place inside Tlawng hnar RF / Tlawng RRF during your tenure as Range Officer, Lunglei Forest range (1.8.1988-23.2.1989, 1.6.1999-31.7.2003 & 21.2.2011 – 24.6.2012) for which no proper actions were taken.

1. Construction / Establishment of District Park, Lunglei by LAD which was inaugurated on 20.8.1996.
2. Construction of Impounding water Recharging Dam (RCC arch dam) by PHE, which was inaugurated on 17.2.2005.
3. Construction of State Sports Academy (Mini Sports Complex) at Zobawk since 29.7.2011.

Therefore, you are requested to explain why action should not be taken against you as per the provisions of CCS (Conduct) Rules, 1964 and the Forest (Conservation) Act, 1980. Your reply should reach the undersigned within two weeks from the date of issue of this letter.

Encl : NGT order dated 3.8.2023 in
OA 150/2022/EZ

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

- ✓ The Principal Chief Conservator of Forests, Mizoram Aizawl for kind information.


16/8/23
Divisional Forest Officer

ANNEXURE IX 406
ANNEXURE - VII

No.C.18015/1/2022-DFO(L)/ 480
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 16th August, 2023

To,

Pu ZD Zonuntluanga, MFS (Rtd)

Subject : *Call for explanation – reg.*

Reference : *NGT Order dated 3.8.2023 in OA No.150/2022/EZ- Pi Vanramchhuangi Vs UOI & Ors- reg.*

Sir,

Referring the subject mentioned above, this is to state that various encroachments in and around Tlawng hnar Reserved Forest has been taking place for which the Hon'ble NGT passed order after a series of hearings.

In this connection, you are found to be responsible for violation of The Mizoram (Forest) Act, 1955 and The Forest (Conservation) Act, 1980 as the following violation took place / continued to take place inside Tlawng hnar RF / Tlawng RRF during your tenure as Range Officer, Lunglei Forest range (1.10.2009-15.9.2010 & 12.10.2012 –25.5.2015) for which no proper actions were taken.

1. Construction / Establishment of District Park, Lunglei by LAD which was inaugurated on 20.8.1996.
2. Construction of Impounding water Recharging Dam (RCC arch dam) by PHE, which was inaugurated on 17.2.2005.
3. Construction of State Sports Academy (Mini Sports Complex) at Zobawk since 29.7.2011.

Therefore, you are requested to explain why action should not be taken against you as per the provisions of CCS (Conduct) Rules, 1964 and the Forest (Conservation) Act, 1980. Your reply should reach the undersigned within two weeks from the date of issue of this letter.

Encl : NGT order dated 3.8.2023 in
OA 150/2022/EZ

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

- ✓ 1. The Principal Chief Conservator of Forests, Mizoram Aizawl for kind information.


16/8/23
Divisional Forest Officer

No.C.18015/1/2022-DFO(L)/ 48/
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

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

To,

Dated Lunglei, the 16th August, 2023

Pu Sangmawia Poonte
Forest Ranger (Rtd.)

Subject : Call for explanation - reg.

Reference : NGT Order dated 3.8.2023 in OA No.150/2022/EZ- Pt Vanramchhuangi Vs UOI & Ors- reg.

Sir,

Referring the subject mentioned above, this is to state that various encroachments in and around Tlawng hnar Reserved Forest has been taking place for which the Hon'ble NGT passed order after a series of hearings.

In this connection, you are found to be responsible for violation of The Mizoram (Forest) Act, 1955 and The Forest (Conservation) Act, 1980 as the following violation took place / continued to take place inside Tlawng hnar RF / Tlawng RRF during your tenure as Range Officer, Lunglei Forest range (26.5.2015-18.2.2019) for which no proper actions were taken.

1. Construction / Establishment of District Park, Lunglei by LAD which was inaugurated on 20.8.1996.
2. Construction of Impounding water Recharging Dam (RCC arch dam) by PHE, which was inaugurated on 17.2.2005.
3. Construction of State Sports Academy (Mini Sports Complex) at Zobawk since 29.7.2011.

Therefore, you are requested to explain why action should not be taken against you as per the provisions of CCS (Conduct) Rules, 1964 and the Forest (Conservation) Act, 1980. Your reply should reach the undersigned within two weeks from the date of issue of this letter.

Encl : NGT order dated 3.8.2023 in
OA 150/2022/EZ

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

- ✓ The Principal Chief Conservator of Forests, Mizoram Aizawl for kind information.

16/8/23
4 Divisional Forest Officer

No.C.18015/1/2022-DFO(L)/ 482
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 16th August, 2023

To,

Pu KM Lalmachhuana, MFS (Rtd)

Subject : *Call for explanation - reg.*

Reference : *NGT Order dated 3.8.2023 in OA No.150/2022/EZ- Pi Vanramchhuangi Vs UOI & Ors- reg.*

Sir,

Referring the subject mentioned above, this is to state that various encroachments in and around Tlawng hnar Reserved Forest has been taking place for which the Hon'ble NGT passed order after a series of hearings.

In this connection, you are found to be responsible for violation of The Mizoram (Forest) Act, 1955 and The Forest (Conservation) Act, 1980 as the following violations took place / continued to take place inside Tlawng hnar RF / Tlawng RRF during your tenure as Range Officer, Lunglei Forest range (6.11.1992-31.5.1999 & 1.8.2003 - 30.9.2009) for which no proper actions were taken.

1. Construction / Establishment of District Park, Lunglei by LAD which was inaugurated on 20.8.1996.
2. Construction of Impounding water Recharging Dam (RCC arch dam) by PHE, which was inaugurated on 17.2.2005.

Therefore, you are requested to explain why action should not be taken against you as per the provisions of CCS (Conduct) Rules, 1964 and the Forest (Conservation) Act, 1980. Your reply should reach the undersigned within two weeks from the date of issue of this letter.

Encl : NGT order dated 3.8.2023 in
OA 150/2022/EZ

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

- ✓ 1. The Principal Chief Conservator of Forests, Mizoram Aizawl for kind information.

16/8/23
Divisional Forest Officer

No.C.18015/1/2022-DFO(L)/483
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

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

To,

Dated Lunglei, the 16th August, 2023

Pu Vanlallmuaka
Forest Ranger (Rtd.)

Subject : Call for explanation - reg.

Reference : NGT Order dated 3.8.2023 in OA No.150/2022/EZ- Pi Vanramchhuangi Vs UOI & Ors- reg.

Sir,

Referring the subject mentioned above, this is to state that various encroachments in and around Tlawng hnar Reserved Forest has been taking place for which the Hon'ble NGT passed order after a series of hearings.

In this connection, you are found to be responsible for violation of The Mizoram (Forest) Act, 1955 and The Forest (Conservation) Act, 1980 as the following violation took place / continued to take place inside Tlawng hnar RF / Tlawng RRF during your tenure as Range Officer, Lunglei Forest range (18.2.2019-29.2.2020) for which no proper actions were taken.

1. Construction / Establishment of District Park, Lunglei by LAD which was inaugurated on 20.8.1996.
2. Construction of Impounding water Recharging Dam (RCC arch dam) by PHE, which was inaugurated on 17.2.2005.
3. Construction of State Sports Academy (Mini Sports Complex) at Zobawk since 29.7.2011.

Therefore, you are requested to explain why action should not be taken against you as per the provisions of CCS (Conduct) Rules, 1964 and the Forest (Conservation) Act, 1980. Your reply should reach the undersigned on or before 25.8.2023.

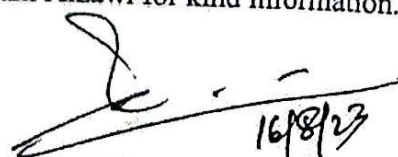
Encl : NGT order dated 3.8.2023 in
OA 150/2022/EZ

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

1. The Principal Chief Conservator of Forests, Mizoram Aizawl for kind information.


16/8/23
Divisional Forest Officer

No.C.18015/1/2022-DFO(L)/ 484
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 16th August, 2023

To,

Pu Vanlalzarzoliana
Forest Ranger
Range Officer, Lunglei Forest Range.

Subject : *Call for explanation – reg.*

Reference : *NGT Order dated 3.8.2023 in OA No.150/2022/EZ- Pi Vanramchhuangi Vs UOI & Ors-reg.*

Sir,

Referring the subject mentioned above, this is to state that various encroachments in and around Tlawng hnar Reserved Forest has been taking place for which the Hon'ble NGT passed order after a series of hearings.

In this connection, you are found to be responsible for violation of The Mizoram (Forest) Act, 1955 and The Forest (Conservation) Act, 1980 as the following violation took place / continued to take place inside Tlawng hnar RF / Tlawng RRF during your tenure as Range Officer, Lunglei Forest range (.2022 - Till date) for which no proper actions were taken.

22.6.2022

1. Construction / Establishment of District Park, Lunglei by LAD which was inaugurated on 20.8.1996.
2. Construction of Impounding water Recharging Dam (RCC arch dam) by PHE, which was inaugurated on 17.2.2005.
3. Construction of State Sports Academy (Mini Sports Complex) at Zobawk since 29.7.2011.

Therefore, you are requested to explain why action should not be taken against you as per the provisions of CCS (Conduct) Rules, 1964 and the Forest (Conservation) Act, 1980. Your reply should reach the undersigned within two weeks from the date of issue of this letter.

Enclo : NGT order dated 3.8.2023 in
OA 150/2022/EZ

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

- ✓ 1. The Principal Chief Conservator of Forests, Mizoram Aizawl for kind information.

16/8/23
Divisional Forest Officer

ANNEXURE XIV 411
~~ANNEXURE XII~~

No.C.18015/1/2022-DFO(L)/485
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

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

To,

Dated Lunglei, the 16th August, 2023

Pu R. Vanlalmalsawma,
Forest Ranger (Rtd.)

Subject : Call for explanation – reg.

Reference : NGT Order dated 3.8.2023 in OA No.150/2022/EZ- Pi Vanramchhuangi Vs UOI & Ors- reg.

Sir,

Referring the subject mentioned above, this is to state that various encroachments in and around Tlawng hnar Reserved Forest has been taking place for which the Hon'ble NGT passed order after a series of hearings.

In this connection, you are found to be responsible for violation of The Mizoram (Forest) Act, 1955 and The Forest (Conservation) Act, 1980 as the following violation took place / continued to take place inside Tlawng hnar RF / Tlawng RRF during your tenure as Range Officer, Lunglei Forest range (16.9.2010-20.2.2011, 25.6.2012-11.10.2012 & 2.3.2020 – 28.2.2022) for which no proper actions were taken.

1. Construction / Establishment of District Park, Lunglei by LAD which was inaugurated on 20.8.1996.
2. Construction of Impounding water Recharging Dam (RCC arch dam) by PHE, which was inaugurated on 17.2.2005.
3. Construction of State Sports Academy (Mini Sports Complex) at Zobawk since 29.7.2011.

Therefore, you are requested to explain why action should not be taken as against you per the provisions of CCS (Conduct) Rules, 1964 and the Forest (Conservation) Act, 1980. Your reply should reach the undersigned within two weeks from the date of issue of this letter.

Encl : NGT order dated 3.8.2023 in
OA 150/2022/EZ

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

- ✓ 1. The Principal Chief Conservator of Forests, Mizoram Aizawl for kind information.


16/8/23
Divisional Forest Officer

ANNEXURE-I

No.C.18015/1/2022-DFO(L)/ 519-521
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

412

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

Dated Lunglei, the 16th August, 2023

To,

The District Sports & Youth Officer
Lunglei District

Subject : *Request to provide details regarding construction / establishment of State Sports Academy (Mini Sport Complex) at Zobawk.*

Sir,

As you are aware, there has been illegal construction of State Sports Academy (Mini Sport Complex) inside Tlawng Riverine Reserved Forest since July 2011. No permission from the competent authority has been obtained for the said construction and hence, there was violation of The Mizoram (Forest) Act, 1955 & The Forest (Conservation) Act, 1980.

As such, there is an NGT case (OA No.150/2022/EZ – Pi Vanramchhuangi Vrs UOI & Ors) in which Hon'ble NGT ordered appropriate action against the person / Officials responsible for the violation.

Therefore, I would like to request you to kindly inform details of the followings –

1. Name / names and designation of District Sports and Youth Officer, who executed this construction of State Sport Academy (Mini Sport Complex) and his / their present posting.
2. Copy of the work order issued for construction of the said State Sport Complex.

Encl : As above

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :
Principal Chief Conservator of Forest, Aizawl, Mizoram for kind information.


16/8/23
Divisional Forest Officer

ANNEXURE-J

No.C.18015/1/2022-DFO(L)/ 516-518
GOVERNMENT OF MIZORAM
OFFICE OF THE DIVISIONAL FOREST OFFICER
LUNGLEI FOREST DIVISION
LUNGLEI : MIZORAM

413

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

Dated Lunglei, the 16th August, 2023

To,

The District Local Administration Officer,
Lunglei District

Subject : *Request to provide details regarding construction / establishment of District park, Lunglei & Lungpuizawl village.*

Sir,

As you are aware, there were illegal constructions / establishment of District Park inside Tlawng hnar Reserved Forest / Tlawng Riverine Reserved Forest and illegal establishment of Lungpuizawl village inside Tlawng hnar Reserved Forest. No permissions from the competent authority have been obtained for the said constructions / establishments and hence there were violations of The Mizoram (Forest) Act, 1955 & The Forest (Conservation) Act, 1980.

As such, there is an NGT case (OA No.150/2022/EZ - Pi Vanramchhuangi Vrs UOI & Ors) in which Hon'ble NGT ordered appropriate action against the person / Officials responsible for the violation.

Therefore, I would like to request you to kindly inform details of the followings -

1. Name / names and designation of The DLAO who executed construction / establishment of District park Lunglei and his / their present posting.
2. Name / names and designation of the official / officials who is / are responsible for recognition / notification of Lungpuizawl village.
3. Copy of the work order issued for construction / establishment of the District Park.

Encl : As above

Yours faithfully,

(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

Principal Chief Conservator of Forest, Aizawl, Mizoram for kind information.


16/8/23
Divisional Forest Officer

ANNEXURE-K

No.C.18015/1/2022-DFO(L)/ 513-515

GOVERNMENT OF MIZORAM

OFFICE OF THE DIVISIONAL FOREST OFFICER

LUNGLEI FOREST DIVISION

LUNGLEI : MIZORAM

414

BUANNEL RUN, Bazar veng, Lunglei

Email : lungleidfo@gmail.comDated Lunglei, the 16th August, 2023

To,

The Executive Engineer, PHED
LWS Maintenance Division, Lunglei

Subject : *Request to provide details regarding construction of Zobawk impounding water recharging dam.*

Sir,

As you are aware, there was illegal construction of Zobawk impounding recharging dam inside Tlawng hnar Reserved Forest, which was inaugurated on 17.2.2005. No permission from the competent authority has been obtained for the said construction and hence there was violation of The Mizoram (Forest) Act, 1955 & The Forest (Conservation) Act, 1980.

As such, there is an NGT case (OA No.150/2022/EZ - Pi Vanramchhuangi Vrs UOI & Ors) in which Hon'ble NGT ordered appropriate action against the person / Officials responsible for the violation.

Therefore, I would like to request you to kindly inform details of the followings -

1. Name / names and designation of the Executive Engineer, who executed this construction of Zobawk impounding water recharging dam and his / their present posting.
2. Copy of the work order issued for construction of the said dam.

Encl : As above

Yours faithfully,


(PC LALCHHANDAMA)
Divisional Forest Officer

Copy to :

✓ Principal Chief Conservator of Forest, Aizawl, Mizoram for kind information.


16/8/23
Divisional Forest Officer



Proof of Service

Office Swaraj&Kotwal <office@swarajandkotwal.com>

Service of Report on behalf of Respondent -State of Mizoram|O.A. No.150 of 2022

1 message

Office Swaraj&Kotwal <office@swarajandkotwal.com>

Tue, Aug 22, 2023 at 7:49 PM

To: "legumjure@gmail.com" <legumjure@gmail.com>, "advocatenandita@gmail.com" <advocatenandita@gmail.com>, secy-moef@nic.in

Please find attached the Report filed on behalf of Respondent-State of Mizoram in the above-captioned matter, for your kind reference and record.

Regards
Adv. Ana Upadhyay
Advocate
+91 6202231868
Office of Mr. Siddhesh Kotwal
Standing Counsel for the State of Mizoram
J-1, First Floor,
"Upasana" Building,
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 **Final Action Report Mizoram.pdf**
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