



# MIZORAM LOKAYUKTA

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## Case No. MLC-8/2019

Shri Amar Smriti Chakma : Complainant  
Vs  
Shri Mangal Mohan Chakma: Respondent/OP

### ORDER

**No. C.13017/8/2019-ML Dt. 25.06.2020.** This case relates to alleged massive felling of trees in Rajmahal Teak Plantation for export to Bangladesh. The complaint petition was initially filed by Shri Amar Smriti Chakma, Chairman, Vigilance Committee of Bharatiya Janata Party, Chakma Autonomous District Council, Kamalanagar, Mizoram before the Environment, Forests & Climate Change Department, Government of Mizoram, against Shri Mangal Mohan Chakma, DCCF, Chakma Autonomous District Council. The , Environment, Forests & Climate Change Department, Government of Mizoram forwarded the complaint to the Lokayukta for appropriate action on the ground that the Department has no jurisdiction over the affairs of the Autonomous District Council.

The Lokayukta examined the complaint petition and arrived at the opinion that the Environment, Forests & Climate Change Department has the jurisdiction and responsibilities under the Forest (Conservation) Act, 1980, PCA 1988 etc. over massive illegal felling of trees in Rajmahal Teak Plantation even if the area falls under the Autonomous District Council Area. It therefore decided to direct the PCCF, Environment, Forests & Climate Change Department to conduct preliminary enquiry and submit a report.

The complaint in brief was that Shri Mangal Mohan Chakma, DCCF of Chakma Autonomous District Council issued permit allowing Smt. Maharani Chakma, w/o Bimal Chakma of Kamalanagar II to cut down around 500 teak trees from Rajmahal Teak Plantation on the pretext of thinning. But the supplier fell the entire trees and cleared the entire plantation area. The indiscriminate felling of trees

also infringed into a private plantation of Shri Maratsaw Chakma, who lodged a complaint with the CADC authorities. The complainant further alleged that in order to affect thinning of trees, no markings of trees were made in conformity with the CADC (Forest) Act, 1992. Further, it is contended that as per Supreme Court order in WP (Civil) No. 171/96 the authority to give permission for felling trees lies with the State Government (not CADC) and the authority to grant permission for transportation of logs outside North Eastern States is with the Union Government, whereas these trees/logs were cut and transported/ smuggled to Bangladesh without the permission of the State Government or the Union Government concerned.

The PCCF got the matter enquired into by the Conservation of Forests (SC), Lunglei who carried out spot verifications along with a team of officials and accompanied by Smt. Maharani Chakma, the permit holder. It was found that the permit holder had carried out 'D' grade thinning and felled 142 teak trees out of 500 trees permitted to cut and converted them into 451 logs. It is reported that the contractor/ permit holder was verbally instructed to stop felling operation until and unless further order is issued. The Conservator of Forests further observed that 'the allegation is due to politically motivated by the complainant, who also encroached Departmental Plantation and has no any proofs for ownership of the claimed Departmental Plantation and hence, seems fall(sic) allegation while enquiring have been conducted (sic).

The PCCF apparently agrees with the enquiry report commenting that "it is reported that out of 500 nos. of teak permitted, the permit holder, Maharani Chakma has felled 142 nos. of trees which were converted into 451 logs at the time of verification which shows that there was no violation of the Forest (Conservation) Act, 1980.

However, several points, including the important points of allegations were not touched during the enquiry/verification and in the reports. It would be interesting and relevant to know whether the competent authorities decided to award the contract and permit to the contractor to fell/thin the forest following the prescribed procedures, in a fair and transparent manner, obtaining the best values for the departmental plantations, and whether the permission of competent authorities were obtained while transporting/ exporting/ selling/ disposing logs and finally whether any public servant is involved in corruption under the Prevention of Corruption Act, 1988. Unfortunately, the Lokayukta does not have its own independent resources to delve into these aspects of the transactions.

Therefore, as the PCCF does not find any irregularity and violation of the Forest (Conservation) Act, 1980 and as the complainant did not make any specific complaint of corruption against any official/office holders of CADC and also as direct evidence of irregularities and corruptions does not come up before the Lokayukta, I have no alternative now but to close the case.

Hence the case is hereby closed.



**(C. LALSAWTA)**

Chairperson  
Mizoram Lokayukta