



Memo No. 2/05

Dated: 1/06/2022

To,

The APCCF-cum-Nodal Officer (FCA),
Forest & Environment Department,
Forest Secretariat, Deorali
Govt. of Sikkim

Sub: Diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim Request for approval under Stage-II Forest Clearance-Reg.

Reference letter No. 1945/FCA/F&ED/27-32 dated 09.05.2022

1. Please refer the letter under reference vide which In-Principle approval under Stage -I of Forest Clearance was obtained along with Demand Note No. I & II for making necessary payment and compliance of stipulated conditions.
2. Accordingly, compliances are made and submitted as follows:

| Sl. No. | Conditions to be fulfilled | Compliances |
|---|---|--|
| A. Conditions which need to be complied prior to handing over of forest land by the Forest Department. | | |
| 1. | The User Agency shall transfer [Rs. 9,163.00 (Rupees nine thousand one hundred sixty-three only)] the cost of raising and maintain compensatory Afforestation (100 trees plantation and maintenance for 10 years) at the current wage rate in consultation with the Forest Department in the account of CAMPA of the concern State through online portal. (Demand note-I enclosed). | Total of Rs. 28,765/- has been transferred (as mentioned in Demand Note I) to Ad Hoc CAMPA through e-challan (UTR no. SAM-N138221963334049). Out of the total amount of Rs 9,163.00 has been transferred towards the cost of raising and maintain the compensatory Afforestation, Rs. 19,602.00 towards NET Present Value. |
| 2. | The User Agency shall transfer online, the Net Present Value (NPV) [Rs. 19,602.00 (Rupees nineteen thousand six hundred two) only] for the 0.0195ha forest area to be diverted under this proposal, as per the order of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and the guidelines issued by the Ministry vide letters No.5-2/2006-FC dated 03/10/2006, 5-3/2007-FC dated 05/02/2009 & Letter No. 5-3/2011-FC (Vol-I) dated 19/01/2022 in this regard (Demand note-I enclosed). | |
| 3. | All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (https://parivesh.nic.in). | Fund already transferred/deposited |
| 4. | The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector. | Agreed (Undertaking enclosed) |

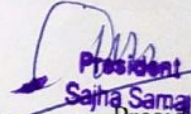
PRADEEP KUMAR, IFS
ADDITIONAL PCCF
FOREST & ENV DEPTT.
GOVERNMENT OF SIKKIM

| | | |
|---|---|--|
| 5. | Violation of any of these conditions will amount to violation of Forest (conservation) Act, 1980 and action shall be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of Comprehensive guidelines of Forest (Conservation) Act, 1980 issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019 | Agreed (Undertaking enclosed) |
| 6. | The compliance report shall be uploaded on e-portal (https://parivesh.nic.in). | Compliance report uploaded on e-portal |
| B. Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval. | | |
| 1. | Legal status of the forest land shall remain unchanged. | Agreed (Undertaking enclosed) |
| 2. | The Forest Department shall plant 100 trees to maintain the green cover at the project cost. Planting site for the purpose shall be identified by the Forest Department preferably in the vicinity of the project site. Indigenous trees species should be preferred for such plantation. | Agreed |
| 3. | Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall also be charged by the State Government from the user agency. The user agency shall furnish an undertaking to this effect. | Agreed (Undertaking enclosed) |
| 4. | The expenditure like felling, logging and transportation of project affected trees [Rs. 6,720.00 (Rupees six thousand seven hundred twenty) only] should be deposited in the cutting & felling account of the State Government for utilization immediately following the diversion of the forest land. User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited with the Forest Department. (Demand note-II enclosed). | Total of Rs. 31,656/- has been deposited (as mentioned in Demand Note II & III) in favor of Chief Secretary cum-PCCF, Forest & Environment Department, Govt. of Sikkim. Out of the total amount of Rs 6,720.00 has been deposited towards the cost of felling, logging and transportation of project affected trees, Rs. 24,936.00 towards cost of boundary demarcation. |
| 5. | The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer or transfer the expenditure for boundary demarcation of diverted forest land [Rs. 24,936.00 (Rupees twenty four thousand nine hundred thirty six) only] in the cutting & felling account of the State Government. (Demand note-III enclosed). | |
| 6. | Wherever possible and technically feasible, the User Agency shall undertake appropriate Afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the Forest Department at the project cost. | Agreed (Undertaking enclosed) |
| 7. | The layout plan of the proposal shall not be changed without the prior approval of the Central Government. | Agreed (Undertaking enclosed) |
| 8. | All the natural streams and water bodies in surrounding area shall be protected. | Agreed (Undertaking enclosed) |
| (a) | | |
| (b) | The User Agency shall ensure that the laborers and staff engaged in construction activity do not damage the nearby | Agreed (Undertaking enclosed) |

| | | |
|-----------|--|-------------------------------|
| | forest flora and fauna. | |
| (c) | Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed off in the adjoining forest area by the user agency. | Agreed (Undertaking enclosed) |
| (d) | No labour camp shall be established on the forest land | Agreed (Undertaking enclosed) |
| (e) | The user Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas. | Agreed (Undertaking enclosed) |
| 9. (a) | The forest land shall not be used for any purpose other than that specified in the project proposal | Agreed (Undertaking enclosed) |
| (b) | The period of diversion under this approval shall be co-terminus with the period of the project life. | Agreed (Undertaking enclosed) |
| (c) | The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of Central Government. | Agreed (Undertaking enclosed) |
| 10 | Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife. | Agreed (Undertaking enclosed) |

3. It is therefore requested to take necessary action for onward submission of compliance report at the earliest to Ministry of Environment, Forest & Climate Change, Govt. of India for seeking final approval under Stage-II, please.

Yours faithfully,


President
Sajha Samaj
Samdur Ranipool, East Sikkim

Samdur, Ranipool, East Sikkim


Memo No. 5106

Dated: 11/06/2022

CERTIFICATE OF UNDERTAKING

(Legal status of the forest land shall remain unchanged.)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (Legal status of the forest land shall remain unchanged) in prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favour of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


Principal
Sajha Samaj
Samdur Ranipool, East Sikkim

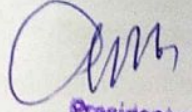
Memo No. 8/07

Dated: 11/06/2022

CERTIFICATE OF UNDERTAKING

(Wherever possible and technically feasible, the User Agency shall undertake appropriate Afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the Forest Department at the project cost)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (Wherever possible and technically feasible, the User Agency shall undertake appropriate Afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the Forest Department at the project cost.) in prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


President
Sajha Samaj
Samdur, East Sikkim

Samdur, Ranipool, East Sikkim



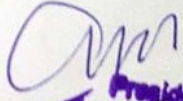
Memo No. 9/08.....

Dated: 1/06/2022

CERTIFICATE OF UNDERTAKING

(The layout plan of the proposal shall not be changed without the prior approval of the Central Government)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (The layout plan of the proposal shall not be changed without the prior approval of the Central Government) in prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


President
Sajha Samaj
Samdur, Ranipool, East Sikkim

Samdur, Ranipool, East Sikkim




Memo No. 8/09

Dated: 1/06/2022

CERTIFICATE OF UNDERTAKING

(All the natural streams and water bodies in surrounding area shall be protected)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (All the natural streams and water bodies in surrounding area shall be protected.) in prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


President
Sajha Samaj
Samdur, Ranipool, East Sikkim

Samdur, Ranipool, East Sikkim




Memo No. 9/10

Dated: 1/16/2022

CERTIFICATE OF UNDERTAKING

(The User Agency shall ensure that the laborers and staff engaged in construction activity do not damage the nearby forest flora and fauna)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (The User Agency shall ensure that the laborers and staff engaged in construction activity do not damage the nearby forest flora and fauna) in prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


President
Sajha Samaj
Samdur, Ranipool, East Sikkim

Samdur, Ranipool, East Sikkim



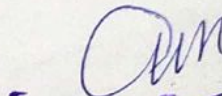
Memo No. 2/11

Dated: 1/06/2021

CERTIFICATE OF UNDERTAKING

(Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed off in the adjoining forest area by the user agency)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed off in the adjoining forest area by the user agency.) in prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


President
Sajha Samaj
Samdur, Ranipool

Samdur, Ranipool, East Sikkim




Memo No. S/12

Dated: 1/06/2022

CERTIFICATE OF UNDERTAKING

(No labour camp shall be established on the forest land)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (No labour camp shall be established on the forest land) as prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


President
Sajha Samaj
Ranipool, East Sikkim
Samdur, Ranipool, East Sikkim

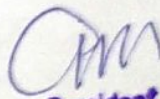
Memo No. 8/13

Dated: 1/06/2022

CERTIFICATE OF UNDERTAKING

(The user Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (The user Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas) in prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


President
Sajha Samaj
Sajha Samaj
Samdur, Ranipool, East Sikkim



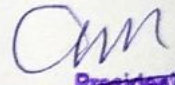
Memo No. 5/14

Dated: 1/06/2022

CERTIFICATE OF UNDERTAKING

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

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (The forest land shall not be used for any purpose other than that specified in the project proposal) in prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


President
Sajha Samaj
Samdur, Ranipool, East Sikkim

Samdur, Ranipool, East Sikkim



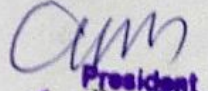
Memo No. 8/15

Dated: 1/06/2022

CERTIFICATE OF UNDERTAKING

(The period of diversion under this approval shall be co-terminus with the period of the project life)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (The period of diversion under this approval shall be co-terminus with the period of the project life.) in prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


President
Sajha Samaj
Samdur, Ranipool, East Sikkim

Samdur, Ranipool, East Sikkim



Memo No. 5/16

Dated: 1/06/2021

CERTIFICATE OF UNDERTAKING

(The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of Central Government)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of Central Government) in prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.

President

Sajha Samaj

Samdur, Ranipool, East Sikkim

Samdur, Ranipool, East Sikkim



Memo No. 4/17

Dated: 21/06/2022

CERTIFICATE OF UNDERTAKING

(Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.) as prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


President
Sajha Samaj

Samdur, Ranipool, East Sikkim



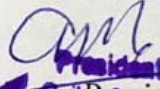
Memo No. 5/18

Dated: 01/06/2022

CERTIFICATE OF UNDERTAKING

(Violation of any of these conditions will amount to violation of Forest (conservation) Act, 1980 and action shall be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of Comprehensive guidelines of Forest (Conservation) Act, 1980 issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019)

Sajha Samaj, Samdur, Ranipool, East Sikkim give undertaking to accept the condition that (Violation of any of these conditions will amount to violation of Forest (conservation) Act, 1980 and action shall be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of Comprehensive guidelines of Forest (Conservation) Act, 1980 issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019) in prescribed by the Department of Forests & Environment, Govt. of Sikkim for the diversion of 0.0195 ha of forest land in favor of Sajha Samaj Ranipool for construction of Sajha Samaj Ghar/Community Hall in Gangtok District of Sikkim.


President
Sajha Samaj
Samdur, Ranipool, East Sikkim

Samdur, Ranipool, East Sikkim

Certificate of Undertaking

12

We the President and the Executive members along with the members of SajhaSamaj of Lower Samdur, Ranipool, East Sikkim is hereby give the undertaking to bear the cost of raising and maintenance of Compensatory Afforestation and Net Present Value as well as the cost of protection and regeneration as per the scheme prepared by the Department of Forest, Environment & Wildlife Management, Government of Sikkim in respect of diversion of 0.0195 hectore/0.048 acre of Forest land and also hereby to undertaking that.

1. For Public welfare schemes of the non-commercial Government Ventures like Schools, Rain Water harvesting, Tanks, Sewer Lines, Village roads which are meant for Public welfare, the NPV may not be charged and that in case it is finally decided by the Supreme Court such Projects are not exempt for payment of NPV, the user agency of SajhaSamaj, the Executive members along with the members of SajhaSamaj will pay the amount of NPV as determined and order of the Supreme Court.
2. The President along with the Executive Members and other members of SajhaSamaj, hereby give an additional undertaking that in case of any upward revision of rate of NPV(as per the report of the Expert Committee constituted by the Supreme Court and the final decision in this respect by the supreme Court) the Department shall pay the amount of differential NPV.

Head of the Agency

President

Sajha Samaj

Samdur Ranipool, Est Sikkim

Seal :