



GOVERNMENT OF SIKKIM
OFFICE OF THE ADDL. CHIEF SECRETARY-cum-PCCF
FORESTS AND ENVIRONMENT DEPARTMENT
FOREST SECRETARIAT, DEORALI, GANGTOK-737 102
Email: fca.sikkim@gmail.com

Ref. No. 1873/FCA/F&ED/343

Dated: 27/6/2022

COMPLIANCE REPORT

To,

✓ The Inspector General of Forest cum Nodal Officer,
Integrated Regional Office,
Ministry of Env. Forests & Climate Change,
Government of India,
IB – 198, Sector-III, Salt Lake City
Kolkata - 700106.

SUB: Proposal for diversion of 1.0935 Ha. of forest land for Construction of Kissan Bazar cum- Car Parking Plaza at Gyalshing in West District of Sikkim by Urban Development & Housing Department, Govt. of Sikkim - Compliance Report reg.

Ref No. 1873/FCA/F&ED/892-895 dated 02.03.2022

Madam,

Pursuant to the Stage I (In Principle) approval accorded for the aforesaid project proposal, the User Agency has complied to all conditions by transferring fund of Compensatory levies and furnished the requisite documents, which are as follows :-


Sl. No.	Conditions	Compliance
(A)1	The cost of compensatory afforestation on the CA land (2 ha) at the prevailing wage rate as per compensatory Afforestation scheme for & Relocation of Nursery & creation of new nursery shall be deposited in advance with Forest Department by the project Authority. The CA will be maintained for 10 years.	Complied and deposited Rs. 19,01,379.00 through NEFT/RTGS Challan for Ad-Hoc CAMPA.
2	The User Agency shall transfer online Net Present Value (NPV) for 1.0935 ha forest area to be diverted under this proposal, as per the orders of Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 & 09.05.2008 in IA NO. 566 in WP (C) No. 202/1995 and as per the guideline issued by this Ministry of Environment & Forest vide its letter No. 5-1/1998-FC (Pt.II) dated 18.09.2003, as well as letter No. 5-2/2006-FC dated 03.10.2006 and 5-3/2007-FC dated 05.02.2009 and 5-3/2007-FC (Vol-I) dated 19.01.2022 in this regard.	Complied and deposited Rs. 14,13,731.00 through NEFT/RTGS Challan for Ad-Hoc CAMPA.
3	The expenditure like felling, logging and transportation of project affected trees shall be transferred by the user agency for utilization immediately following the diversion of the forest land.	Complied and deposited Rs. 4,28,544.00.

4	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).	Total of Rs. 33,15,110.00 deposited through NEFT/RTGS Challan for Ad-Hoc CAMPA.
5	The FRA certificate as per Ministry's guidelines shall be submitted before the issuance of final approval. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector	Noted
6	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	Undertaking enclosed
7	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in).	Complied
(B) 1.	Legal status of the forest land shall remain unchanged.	Undertaking enclosed
2.	Compensatory Afforestation shall be taken up the Department over 2 ha equivalent degraded forest land (Sangchu RF in Gyalshing Range of Gyalshing Territorial forest Division) at the cost of the user agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species, especially non-native species should be avoided.	Noted
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.	The User Agency has furnished undertaking Certificate (flag X)
4.	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 concerned Department and the cost of felling of trees shall be deposited by the user agency.	Undertaking enclosed
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.	Undertaking enclosed
6.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Undertaking enclosed
7.	The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.	Undertaking enclosed
8.	(a) The forest land shall not be used for any purpose other than that specified in the Project proposal. (b) The period of diversion under this approval shall be co-terminus with the period of the project life. (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.	Undertaking enclosed

9.	Any other conditions that the Ministry of Environment, Forest & Climate change may stipulate from time to time in the interest of conservation, protection and development of forest and wildlife.	Undertaking enclosed
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Therefore, in view of fulfillment of above conditions by the User Agency, the Compliance Report is hereby submitted for kind consideration for according Final Approval under Section 2 of the Forest (Conservation) Act, 1980, please.

Yours faithfully,


24/06/22
Pradeep Kumar, IFS
Additional PCCF-cum-Nodal Officer
Forest (Conservation) Act, 1980
Forests & Environment Department
Government of Sikkim

Copy for information to:-


1. Addl. C.S.-cum-PCCF
2. CF(T)
3. DFO (Gyalshing Territorial) for follow up n. a.
4. File
5. Guard file.

Annexure-II

Information to be furnished about transmission of funds to CAMPA

1	Name of the User Agency and the Project	Urban Development & Housing Department, Govt. of Sikkim- Construction of Kissan Bazar cum- Car Parking Plaza at Gyalshing in West District of Sikkim
2	Location of forest area diverted (State/Dist/Taluk/Village) Pl. also give log/lat details. If available.	Gyalshing District of Sikkim.
3	Extent of forest area applied for, for diversion	1.0935 Ha
4	Extent of forest area approved for diversion	1.0935 Ha
5	State Govt. reference No. & date under which the proposal was forwarded (pl. attach a copy of the forwarding letter, copy of enclosures not required)	No. 1873/FCA/F&ED/892-895 dated 02.03.2022
6	No. and date of Stage-I clearance (pl. attach copy)	No. UDHD-01/2021/FC/32 dated 04.02.2022
7	No. and date of Stage-II clearance (pl. attach copy)	
8	Details of compensatory afforestation funds viz:	
	(i) Details of Compensatory Afforestation Fund.	Rs. 3,32,588.00
	(ii) Additional Compensatory Afforestation Fund.	0
	(iii) Penal Compensatory Afforestation Fund.	0
	(iv) Catchment Area Treatment Plan Fund.	0
	(v) Fund for Protected Area.	0
	(vi) Net Present Value.	Rs. 14,13,731.00
	(vii) Any other charges levied (pl. specify)	Rs. 15,68,791.00
	(viii) TOTAL OF (i) to (viii)	Rs. 33,15,110.00
9	Date of collection of fund as in Sl. No. above, with:	12.05.2022
	(i) Authority by whom collected:	Sikkim CAMPA
	(ii) Details of Bank Draft/Cheque (DD/Cheque No. & date or RTGS/NEFT No.) Bank in which drawn, and in whose favour the instrument was drawn.	Corporation Bank, Lodhi Branch, Block No. 11, CGO Complex, Phase – I, Lodhi Road, New Delhi – 110 003.
	(iii) Date of remittance to Govt. account, indicating Account No., Bank and Branch details.	12.05.2022
10	Details of remittance of funds as in Col. 8 above to CAMPA, indicating:	CA - Rs 3,32,588.00 NPV - Rs 14,13,731.00 Others - Rs 15,68,791.00 Total – Rs. 33,15,110.00
	(i) Authority by whom remitted;	APCCF-cum-Nodal Officer (FCA)
	(ii) Bank, Branch to which remitted;	Corporation Bank, Lodhi Branch, Block No. 11, CGO Complex, Phase – I, Lodhi Road, New Delhi – 110 003.
	(iii) Mode of remittance (Draft/Pay Order/RTGS) with full particulars, including amount and date of remittance.	NEFT/RTGS CHALLAN for Ad hoc CAMPA on 15.05.2022 CA - Rs 3,32,588.00 NPV - Rs 14,13,731.00 Others - Rs 15,68,791.00 Total – Rs. 33,15,110.00

11	Out of the remittance as indicated in Col. 10 above pl. give head-wise (CA/ACA/PCA/CAT etc.) funds towards principal funds collected, and interest thereon remitted to the Centre.	NEFT/RTGS CHALLAN for Ad hoc CAMPA on 15.05.2022 CA - Rs 3,32,588.00 NPV - Rs 14,13,731.00 Others - Rs 15,68,791.00 Total - Rs. 33,15,110.00
12	Any other details.	Copy of Challan is enclosed for ready reference.


(Pradeep Kumar, IFS),
APCCF-cum-Nodal Officer (FCA)



**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

No: 354 L/UDD/Secy


Dated: 03.06.2022

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)

The Urban Development Department 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 Forest & Environment, Govt. of Sikkim for the diversion of 1.0935 Ha of Forest land in favour for Construction of Kissan Bazar cum Car Parking at Gyalshing in West District of Sikkim by Urban Development Department, Government of Sikkim.




M.T. Sherpa, IAS
Secretary
Urban Development Department.
Urban Dev. Department
Government of Sikkim, Gangtok



**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

No: 354 A/UDD/Secy

Dated: 03.06.2022

CERTIFICATE OF UNDERTAKING

(Legal status of the forest land shall remain unchanged)

The Urban Development Department give undertaking to accept the condition that (legal status of the Forest land shall remain unchanged) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 1.0935 Ha of Forest land in favour for Construction of Kissan Bazar cum Car Parking at Gyalshing in West District of Sikkim by Urban Development Department, Government of Sikkim.

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SECRETARY

Urban Dev. Department

Government of Sikkim, Gangtok





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Azadi Ka
Amrit Mahotsav

**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

No: 354 B/UDD/Secy

Dated: 03.06.2022

CERTIFICATE OF UNDERTAKING

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

The Urban Development Department 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 Forest & Environment, Govt. of Sikkim for the diversion of 1.0935 Ha of Forest land in favour for Construction of Kissan Bazar cum Car Parking at Gyalshing in West District of Sikkim by Urban Development Department, Government of Sikkim.


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**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**


No: 354 D/UDD/Secy

Dated: 03.06.2022

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)

The Urban Development Department 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 Forest & Environment, Govt. of Sikkim for the diversion of 1.0935 Ha of Forest land in favour for Construction of Kissan Bazar cum Car Parking at Gyalshing in West District of Sikkim by Urban Development Department, Government of Sikkim.


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**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

No: 354 G/UDD/Secy

Dated: 03.06.2022

CERTIFICATE OF UNDERTAKING

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

The Urban Development Department give undertaking to accept the condition that (The user Agency shall provide alternate fuels preferably LPG to the Labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas.) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 1.0935 Ha of Forest land in favour for Construction of Kissan Bazar cum Car Parking at Gyalshing in West District of Sikkim by Urban Development Department, Government of Sikkim.

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Government of Sikkim, Gangtok





**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

No: 354 H/UDD/Secy

Dated: 03.06.2022

CERTIFICATE OF UNDERTAKING

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

The Urban Development Department give undertaking to accept the condition that (The forest land shall not be used for any purpose other than specified in the project proposal.) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 1.0935 Ha of Forest land in favour for Construction of Kissan Bazar cum Car Parking at Gyalshing in West District of Sikkim by Urban Development Department, Government of Sikkim.

M.P. Sherpa, IAS
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Government of Sikkim, Gangtok





**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

No: 354 I/UDD/Secy

Dated: 03.06.2022

CERTIFICATE OF UNDERTAKING

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

The Urban Development Department 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 Forest & Environment, Govt. of Sikkim for the diversion of 1.0935 Ha of Forest land in favour for Construction of Kissan Bazar cum Car Parking at Gyalshing in West District of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS
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Urban Dev. Department
Government of Sikkim, Gangtok





**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

No: 354 J/UDD/Secy

Dated: 03.06.2022

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.)

The Urban Development Department 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 Forest & Environment, Govt. of Sikkim for the diversion of 1.0935 Ha of Forest land in favour for Construction of Kissan Bazar cum Car Parking at Gyalshing in West District of Sikkim by Urban Development Department, Government of Sikkim.

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**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

No: 354 K/UDD/Secy

Dated: 03.06.2022

CERTIFICATE OF UNDERTAKING

(Any other conditions that the Ministry of Environment, Forest & Climate Changes may stipulate from time to time in the interest of conservation protection and development of forest & wildlife.)

The Urban Development Department give undertaking to accept the condition that (Any other conditions that the Ministry of Environment, Forest & Climate Changes may stipulate from time to time in the interest of conservation protection and development of forest & Wildlife.) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 1.0935 Ha of Forest land in favour for Construction of Kissan Bazar cum Car Parking at Gyalshing in West District of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS

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Government of Sikkim, Gangtok.





**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

No:367/UDD/Secy

Dated: 22.06.2022

CERTIFICATE OF UNDERTAKING

(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 concerned department.)

The Urban Development Department give undertaking to accept the condition that it 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 concerned department and the cost of felling of trees shall be deposited by the user agency in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 1.0935 Ha of Forest land in favour for Construction of Kissan Bazar cum Car Parking at Gyalshing in West District of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS

Secretary

Urban Development Department.

SECRETARY

Urban Dev. Department
Government of Sikkim, Gangtok



**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

No: 368/UDD/Secy

Dated: 22.06.2022

CERTIFICATE OF UNDERTAKING

(The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the direction of the concerned Divisional Forest Officer.)

The Urban Development Department give undertaking to accept the condition that (The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the direction of the concerned Divisional Forest Officer) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 1.0935 Ha of Forest land in favour for Construction of Kissan Bazar cum Car Parking at Gyalshing in West District of Sikkim by Urban Development Department, Government of Sikkim.

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Secretary

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