

No: NHIDCL/PMU-Ranipool/NH-10 Dumping/2022-23/.1.1.

Date: 11.05.2022

To

The CF cum Nodal Officer (FCA)
Office of the Addl.Chief Secretary cum PCCF
Forests and Environment Department
Forest Secretariat, Deorali, Gangtok-737102

Sub: Diversion of 0.65 Ha of Forest Land for Muck Dumping at S-Turning (Kapur More)
Martam Revenue Block under Singtam Territorial Range in East District of Sikkim-
Compliance Report for Final Approval and Working Permission-Reg.

Ref: (i) IRO-Kolkata letter No.SK/ROAD-43/2021/FC/233 Dated 29.09.2021
(ii) State forest Department letter No.1883/FCA/F&ED/204 Dated 12.10.2021

Sir,

Pursuant to the conditions of the Stage-I(In-Principle) approval accorded MoEF-CC for the aforementioned project proposal, the parawise compliance as given below:-

Condition-A

(1) Compliance of Para 1 to 3 of the referred letter :-The amount as demanded in demand note-I has been deposited in the account of Sikkim CAMPA on 03rd Nov 2021 whose details are tabulated below. The Challan of Union Bank of India is being enclosed herewith as Annexure-I.

Sr.No	Changes of Compensatory Levies	Stage-I Condition no.of IPA	Amount (Rs)	Remarks
1	Compensatory afforestation levies	A (1)	Rs.1,32,889/-	Challan MoEF/SG File No.SK/OTHERS-40/2021/FC was generated through Parivesh e-portal and an amount of Rs.5,59,936/-has been deposited in the account of Sikkim CAMPA on 03 rd Nov 2021 . The working permission may please be given accordingly.
2	Net Present Value (NPV)	A (2)	Rs.4,27,050/0	
TOTAL			Rs.5,59,936/-	

- (2) Compliance of Para 4 of the referred letter-Undertaking Enclosed.
(3) Compliance of Para 5 of the referred letter- Uploaded.

Condition-B

- (1) Legal status of the forest land shall remain unchanged- **Undertaking Enclosed**
- (2) Compensatory Afforestation shall be taken by up the Forest Department over 0.65 ha in degraded forest land (Location-Tinek RF, Singtam, (T) Range, under East Territorial 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- **Undertaking Enclosed**
- (3) Additional amount of the 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 changed by the Department from the user agency. The user agency shall furnished an undertaking to this effect-**Enclosed undertaking.**
- (4) User Agency shall upload the Forest Right Act (2006) certificate in PARIVESH before Stage-II Approval- **Uploaded (Copy of the Certificate enclosed).**
- (5) User Agency shall upload the certificate of non-availability of non-forest land for Compensatory Afforestation in PARIVESH before Stage -II Approval- **Uploaded (Copy of the Certificate enclosed).**
- (6) 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- **No felling of trees required (Certificate enclosed).**
- (7) The boundary of the diverted forest land shall be suitable demarcated on ground at the project cost as per the directions of the concerned Divisional Forest Officer- **Undertaking Enclosed.**
- (8) The layout plan of the proposal shall not be changed without prior approval of Central Government- **Undertaking Enclosed.**
- (9)
 - (a) No labour camp shall be established on the forest land
 - (b) The user agency shall provide alternate fuels preferably LPG to the labours and staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
 - (c) No additional or new path will be constructed inside the forest area for any activity related to the project work.

- (d) The muck debris and materials generated out of the construction, shall not be spilled down on slopes and be disposed off in the predetermined area only.
- (e) There shall be no damage to surrounding forests, environment, wildlife & natural resources.
- (f) All the natural streams and Water Bodies in surrounding area shall be protected.
- (g) The user agency shall take necessary mitigative measures to prevent soil erosion in the area.

Undertaking Enclosed.

- 10
- (a) The period of diversion under this approval shall be co-terminus with the period of the project.
 - (b) The forest land shall not be used for any purpose other than that specified in the proposal.
 - (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

- (11) Any other condition that the Ministry of Environment, Forest & Climate Change may impose from time to time in the interest of conservation, protection and development of forest & wildlife- **Undertaking Enclosed.**

In light of the above, the requisite conditions has been fulfilled by the User Agency, the compliance report is hereby submitted for kind consideration for according Final Approval.

Yours faithfully


General Manager (P)

Copy to:


- (i) The Executive Director (P), RO-Gangtok.
- (ii) PCCF-cum-Addl. Chief Secretary, Forest Secretariat, Deorali.
- (iii) DFO (East Territorial), PS Road Gangtok.

7c
Date: 11.05.2022

Undertaking

National Highways & Infrastructure Development Corporation Limited (NHIDCL) hereby undertake the following in respect of "Proposal for diversion of 0.65 Ha of forest land for muck dumping at S-Turning (kapoor More) Martam Revenue Block under Singtam Territorial Range in East District of Sikkim":-

1. The period of diversion under this approval shall be co-terminus with the period of the project.
2. The forest land shall not be used for any purpose other than that specified in the proposal.
3. 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.
4. Any other condition that the Ministry of Environment, Forest & Climate Change may impose from time to time in the interest of conservation, protection and development of forest & wildlife.


General Manager (P)
PMU-Ranipool



7/c

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. 1883/FCA/F&ED/198-22

Dated 25/5/2022

COMPLIANCE REPORT

To,

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

SUB: Proposal for diversion of 0.65 Ha of Forest Land for muck dumping at S-turning (Kapur more) Martam Revenue Block under Singtam Territorial Range in East District of Sikkim by National Highways & Infrastructure Dev. Corp. Limited (NHIDCL) – Compliance Report reg.

Ref No. SK-ROAD-43/2021/FC/233 dated 29.09.2021

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 compensatory afforestation on the CA land (0.65 ha) at the prevailing wage rate as per compensatory Afforestation scheme (including the cost of survey, demarcation and erection of permanent pillars etc as required for securing the land against encroachment) shall be deposited in advance with Forest Department by the project Authority. The CA will be maintained for 10 years.	Complied and deposited Rs. 1,32,886.00 through NEFT/RTGS.
2	The User Agency shall transfer online Net Present Value (NPV) for the 0.65 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 in this regard.	Complied and deposited Rs. 4,27,050.00 through NEFT/RTGS.
3	All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (https://parivesh.nic.in).	Total of Rs. 5,59,936.00 deposited through NEFT/RTGS Challan for Ad-Hoc CAMPA.
4	Violation of any these conditions will amount to violation of Forest (Conservation) Act, 1980 and the action would be taken as prescribed in para 1.21 of chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as	Noted

	issued by the Ministry letter No. 5-2/2017-FC dated 28.03.2019.	
5	The compliance shall be uploaded on e-portal (https://parivesh.nic.in).	Complied
B 1	Legal status of the forest land shall remain unchanged.	Agreed
2	Compensatory Afforestation shall be taken up the Department over 0.65 ha. in degraded forest land (Location-Tinek RF, Singtam, (T) Range, under East Territorial 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.	As stated at A (1).
3	Additional amount of the 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 Department 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 upload the Forest Right Act (2006) certificate in PARIVESH before Stage-II Approval.	Uploaded
5	User Agency shall upload the certificate of non-availability of non-forest land for Compensatory Afforestation in PARIVESH before Stage-II Approval.	Uploaded
6	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.	No felling of trees involved.
7	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.
8	The layout plan of the proposal shall not be changed without prior approval of Central Government	Agreed.
9	(a) No labour camp shall be established on the forest land. (b) 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. (c) No additional or new path will be constructed inside the forest area for any activity related to the project work. (d) The muck debris and materials generated out of the construction, shall not be spilled down on slopes and be disposed off in the predetermined area only. (e) There shall be no damage to surrounding forests, environment, wildlife & natural resources. (f) All the natural streams and Water Bodies in surrounding area shall be protected. (g) The user agency shall take necessary mitigative measures to prevent soil erosion in the area.	Undertaking enclosed.
10	(a) The period of diversion under this approval shall be co-terminus with the period of the project. (b) The forest land shall not be used for any purpose other than that specified in the proposal. (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.
11	Any other condition that the Ministry of Environment, Forest & Climate Change may impose from time to time in the interest of conservation, protection and development of forest & wildlife.	Agreed

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 sincerely,



(D.C Nepal, IFS),
CCF-cum-Nodal Officer (FCA)

Copy for information to:-

1. Addl. C.S.-cum-PCCF
2. General Manager
NHIDCL,
C/o Dr. Sundeep Pradhan building,
Sichey Link Road, Middle Sichey
Gangtok Sikkim
3. CF(T)
4. DFO (Gangtok Territorial) for follow up n. a.
- ✓ 5. File

Annexure-II

Information to be furnished about transmission of funds to CAMPA

1	Name of the User Agency and the Project	National Highways & Infrastructure Dev. Corp. Limited (NHIDCL)- Forest Land for muck dumping at S-turning (Kapur more) Martam Revenue Block under Singtam Territorial Range in Gangtok District of Sikkim
2	Location of forest area diverted (State/Dist/Taluk/Village) Pl. also give log/lat details. If available.	Gangtok District of Sikkim.
3	Extent of forest area applied for, for diversion	0.65 Ha
4	Extent of forest area approved for diversion	0.65 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. 1883/FCA/F&ED/200-204 dated 12.10.2021
6	No. and date of Stage-I clearance (pl. attach copy)	No. SK-ROAD-43/2021/FC/233 dated 29.09.2021
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. 1,32,886.00
	(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. 4,27,050.00
	(vii) Any other charges levied (pl. specify)	0
	(viii) TOTAL OF (i) to (viii)	Rs. 5,59,936.00
9	Date of collection of fund as in Sl. No. above, with:	03.11.2021
	(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.	03.11.2021
10	Details of remittance of funds as in Col. 8 above to CAMPA, indicating:	CA - Rs 1,32,886.00 NPV - Rs 4,27,050.00 Total - Rs. 5,59,936.00
	(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 03.11.2021 CA - Rs 1,32,886.00 NPV - Rs 4,27,050.00 Total - Rs.5,59,936.00