

Part - IV

(To be filled up of the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department).

17. Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks ;

(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forest should be categorically reviewed and critically commented upon).

The proposal for diversion of diversion of 0.0020 Ha. of forest land for installation of Automatic Data Acquisition & Real Time Data Transmission System through Satellite for Snow Gauges & Rainfall Measurement at Gnathang in Gangtok District of Sikkim by CWC, is accepted and recommended for forest clearance under Section 2 of Forest (Conservation) Act, 1980, subject to compliance of the following conditions by the User Agency :-

- (1) The legal status of the forest land shall remain unchanged.
- (2) The amount of Compensatory Afforestation and Net Present Value (NPV) shall be paid and any revision, thereof, shall be borne by the User Agency.
- (3) There shall be no damage to surrounding forests, environment, wildlife & natural resources.
- (4) Minimum tree felling shall be done in the project area, that too which are unavoidable due to project activity. The blank areas shall be covered up with the plantation after the construction of the project.
- (5) There shall be no labour camp on any diverted forests land.
- (6) All the natural streams and water bodies in surrounding area shall be protected.
- (7) During and after the construction period of the project, the project authority shall continue to assist the State Forest Department for conservation and development of natural resources of the State.
- (8) The muck, debris and materials generated out of the construction, if any, shall not be spilled down on slopes and be disposed off in the predetermined areas only.
- (9) The User Agency shall demarcate the forest land to be diverted with boundary pillar of atleast four feet high with forward and backward bearing before taking up the project activity in the diverted land at project cost.

Signature :

Name & Designation : Pradeep Kumar, IFS

APCCF-cum-Nodal Officer (FCA)

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

Date : 1.3.22

Place: Gangtok (Sikkim)



GOVERNMENT OF SIKKIM
OFFICE OF THE CHIEF SECRETARY
GANGTOK – 737101

No: 1982/CS/GOS/.....59.....

Date 15/07/2022.

Proposal for diversion of 0.0020 Ha of forest land for installation of Automatic Data Acquisition & Real time Data Transmission system through satellite for Snow gauges & Rainfall Measurement at Gnathang in Gangtok Sikkim by CWC.

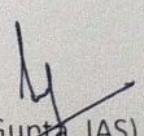
Certificate for Non-availability of Non-Forest Land for Compensatory Afforestation.

I, S.C. Gupta, IAS, Chief Secretary, Govt. of Sikkim, do hereby certify that :

- (i) I have obtained from each District Collector and Divisional Forest Officer in the State of Sikkim, a joint certificate to the effect that non-forest land, revenue lands, *zudpi jungle*, *chhote jhar ka jungle*, *bade jhar ka jungle*, *jungle-jhari land*, *civil-soyam lands* and all other such categories of forest lands (except the forest land under management and administrative control of the Forest Department) on which the provisions of Forest (Conservation) Act, 1980 are applicable, which as per the extant guidelines of the Central Government may be utilized for creation of compensatory afforestation in lieu of forest land diverted for non-forest purpose, are not available in the area under their respective jurisdiction; and
- (ii) I have also examined all other relevant records.

On the basis of afore-mentioned joint certificates and examination of all other relevant records, I do hereby certify that non-forest land, revenue lands, *zudpi jungle*, *chhote jhar ka jungle*, *bade jhar ka jungle*, *jungle-jhari land*, *civil-soyam lands* and all other such categories of forest lands (except the forest land under management and administrative control of the Forest Department) on which the provisions of Forest (Conservation) Act, 1980 are applicable, which as per the extant guidelines of the Central Government may be utilized for creation of compensatory afforestation in lieu of forest land diverted for non-forest purpose, are not available in the entire State of Sikkim.

Issued under by hand and seal on this 15th..... Day of July 2022


(S.C. Gupta, IAS)
Chief Secretary,
Govt. of Sikkim.

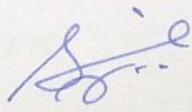
(39)

**UNDER SCHEDULE TRIBES AND OTHER TRADITIONAL FOREST DWELLERS
(RECOGNITION OF FOREST RIGHTS) ACT 2006**

“CERTIFICATE”

This is to certify that proposed area of 0.0020 ha of Forest land for installation of Automatic Data Acquisition and Real Time Data Transmission system through satellite for Snow Gauges and Rainfall measurement at Gnathang in East District of Sikkim is outside the recognized rights of Primitive Tribal Group (PTG) and Pre-agriculture Committee (PAC) under the “Schedule Tribes and other Traditional Forest Dwellers (recognition of Forest Rights) Act, 2006 (FRA-2006) for the proposed project at East District.

It is certified that no rights of Primitive Tribal groups and Pre-agricultural communities are affected.


Divisional Forest Officer
East Territorial Division
FEWMD


District Collector (E)
Government of Sikkim
Gangtok
DISTRICT COLLECTOR
East District
Gangtok

Annexure – II
FORM- II
(For projects other than linear projects)

No. 1462/SC/E

Dated 20/12/2011

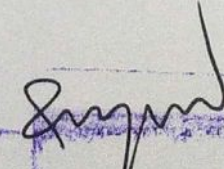
TO WHOMSOEVER IT MAY CONCERN

In Compliance of the Ministry of Environment and Forest (MoEF), Government of India's letter no.11-9/98-FC (pt) 3/8/2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ('FRA', for short) on the forest land proposed to be diverted for non-forest purposes, it is certified that **0.0020ha** of forest land proposed to be diverted in favour of **Central Water Commission, Gangtok** (name of user agency) **for diversion 0.0020 ha of Forest land for installation of Automatic Data Acquisition and Real Time Data Transmission system through satellite for Snow Gauges and Rainfall measurement at Gnathang in East District, Government of Sikkim.** (purpose for diversion of forest land) in East district falls within jurisdiction of **Gnathang** (s) in **Phadamchen** tehsils.

It is further certified that:-

- a. The complete process for identification and settlement of rights under the FRA has been carried out for the entire **0.0020 ha** of forest land proposed for diversion. A copy of records of all consultations and meetings of the Forest Rights Committee (s), Gram Sabha (s), Sub-Division Level Committee (s) and the District Level Committee are enclosed as annexureto..... annexure.....
- b. The diversion of such division (with full details of the project and its implications, in vernacular/local language have been placed before each concerned Gram Sabha of Forest Dwellers, who are eligible under the FRA;
- c. The each of concerned Gram Sabha (s), has certified that all formalities/processes under the FRA have been carried out, and that they have given their consent to the proposed diversion and the compensation and ameliorative measures, if any, having understood the purpose and details of proposed diversion. A copy of certificate issued by the gram sabha of village (s) is enclosed as annexure..... toannexure.
- d. The discussion and decisions on such proposals had taken place only when there was a quorum of minimum 50% of the members of Gram Sabha present.
- e. The diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and the Gram Sabhas have given their consents to it.
- f. The rights of Primitive Tribal Groups and Pre-Agricultural Communities, where applicable have been specifically safeguarded as per section 3 (1) (e) of the FRA...

Encl:- As above.


Signature
DISTRICT COLLECTOR
East District
Gangtok

(Full name and official seal of the District Collector)