



इरकॉन इन्टरनेशनल लिमिटेड

(भारत सरकार का उपक्रम)

IRCON INTERNATIONAL LIMITED

(A Govt. of India Undertaking)

An integrated Engineering and Construction Company

SIVOK - RANGPO NEW BG RAIL LINE PROJECT

Project Office : New Railway Colony, Near By Sivok Railway Station, P.O. Kalijhora, Via Salugara
Dist. Darjeeling (W.B.), Pin-734008, E-mail : ircon2046@gmail.com



No. IRCON/2046/Sivok-Rangpo/Forest/05/ 186

Date: 1.02.2021

The Additional Principal Chief Conservator of Forests
& Nodal Officer, Forest Conservation Act, 1980
Office of Principal Chief Conservator of Forests, Head of Forest Force.
Aranya Bhawan, Block LA-10A, Sector-III, Salt Lake City Kolkata-700106

Sub: Construction of Sivok-Rangpo New Broad Gauge Railway line.

: Re-diversion of already diverted Forest land in favour of Northeast Frontier Railway.

Ref: i) Consent letter from NHPC, No. NH/TLD-IV PS/GM(I/C)/2021/24/19-18/218 Dated:
27.01.2021

ii) MoEFCC Letter F.No. 8-66/2009-FC-pt dated 30th Sept 2011

Sir,

Teesta Low Dam Project, Stage -IV has been commissioned by NHPC and the forest land that had been temporarily diverted to them for the above purpose is no longer needed by them. So, on our request, they have given their consent for re-diversion of 1.75 Ha of forest land to IRCON/NFR for construction of this National project of strategic importance vide their letter dated 27th Jan 2021 referred at sl no. i) above and the same is no longer required by NHPC.

It is requested to kindly do the needful and re-divert 1.75 Ha of already used forest land on temporary basis to be used as construction yard for the project.

Thanking you and assuring you best of our co-operation at all times.

For and on behalf of
Ircon International Limited.

(Mohinder Singh)

Project Director/SRRP

Encl: Consent letter from NHPC along with handing taking over sheet, Layout Map of the area & copy of in-principle approval dated 30th March 2006, letters of NHPC dated 20.09.19 & 15.01.20

Copy to i) DFO, Kurseong Forest Division

ii) Dy Chief Engineer, NF Railway, New Jalpaiguri.





एनएचपीसी लिमिटेड
(भारत सरकार का उद्यम)
NHPC Limited
(A Govt. of India Enterprise)
CIN-L40101HR1975GOI032564

संदर्भ सं. / Ref. No : NH/TLD-IV PS/GM(F/C)/2021/24/19-18/218 दिनांक / Date : 27-01-2021

To,

Dulal (AGM)

IRCON International Limited
New Railway Colony,
Near By Sivok Railway Station,
P.O. Kalijhora, Via Salugara
Dist. Darjeeling (W.B.), Pin- 734008,
Email: ircon2046@gmail.com

[Signature]

30-01-2021

Subject:- Consent for re-diversion of already diverted forest land of 1.75 Ha at right bank of Kalikhola in favour of TLD-IV Project, NHPC, to IRCON International Limited for Construction of Sivok-Rangpo New BG Rail Line Project

- Ref:-** (i) Letter No. IRCON/2046/NFR-SRRP/LA/Forest/Kurseong/05/62/A dated 11.01.2021
(ii) Letter No. IRCON/2046/NFR-SRRP/LA/Forest/Kurseong/05/1510 dated 18.07.2020
(iii) MOEF (FC) Division, GOI Letter F. No. 8-66/2009-FC-pt dated 30.09.2011
(iv) MOEF (FC Division), GOI Letter F. No. 8-61/2004-FC dated 30.03.2006

Sir,

This is with reference to your letters No. IRCON/2046/NFR-SRRP/LA/Forest/Kurseong/05/1510 dated 18.07.2020 and Letter No. IRCON/2046/NFR-SRRP/LA/Forest/Kurseong/05/62/A dated 11.01.2021 vide which it has been requested to NHPC to issue a consent letter for re-diversion of the forest land measuring 1.75 Ha in favour of IRCON/NFR as per guidelines issued by Ministry of Environment & Forests (FC Division), Govt. of India vide their No. F. No. 8-66/2009-FC-pt dated 30.09.2011.

A temporary land measuring 1.75 ha was handed over to NHPC by Kurseong Forest Division on dated 20.04.2006 for dumping area at right bank of Kalikhola (copy enclosed). Teesta Low Dam Project, Stage-IV, Kalijhora is already commissioned in Aug'2016 and there is no use of this land now. Therefore, NHPC has already communicated to DFO, Kurseong vide our letters dated 15.01.2020, 20.09.2019 and 07.05.2018 to take over back this land in Kurseong Forest Division in terms of clause (xvii) of MOEF letter no. 8-61/2004-FC dated 30.03.2006 (copy of MOEF letter is enclosed).

As stated by your letter that Sivok-Rangpo New BG Rail Line Project is a National Project of strategic importance which is of great public utility. In this regard, it is brought out that the purpose of re-diversion of land to the new agency IRCON/NFR is for their temporary use only and should be compatible with and does not hinder its use for which the forest land already stands diverted in favour of TLDP-IV, NHPC Ltd.

In accordance with the guidelines issued by Ministry of Environment & Forest, Govt. of India dated 30.09.2011, point no (ii) (a) "Re-diversion of forest land to another user agency of already diverted forest land, shall normally

तीस्ता लो डैम-IV पावर स्टेशन, कालीझोड़ा, जिला-दार्जिलिंग, पिन-734008 (पश्चिम बंगाल)।
TEESTA LOW DAM-IV POWER STATION, KALIJHORA, DIST. DARJEELING, PIN-734008 (W.B.)

फोन / Phone : 03552-279215, फैक्स / Fax : 03552-279252, ई-मेल / E-mail : tldpiv@rediffmail.com / gm_nhpcitdp@yahoo.com

पंजीकृत कार्यालय: एनएचपीसी कार्यालय परिसर, सेक्टर-33, फरीदाबाद, हरियाणा-121 003 (भारत)
Regd. Office : NHPC Office Complex, Sector - 33, Faridabad, Haryana - 121 003 (India)
Website : www.nhpcindia.com; E-mail : webmaster@nhpc.nic.in; Phone : 0129-2588110/2588500
स्वहित व राष्ट्रहित में ऊर्जा बचाएँ / SAVE ENERGY FOR BENEFIT OF SELF AND NATION

[Signature]
27/01/21



एनएचपीसी लिमिटेड
(भारत सरकार का उद्यम)
NHPC Limited
(A Govt. of India Enterprise)
CIN-L40101HR1975GOI032564

संदर्भ सं. / Ref. No : _____

दिनांक / Date : _____

be considered if the proposed new use / activity (both for public utility or otherwise) is compatible with and does not hinder its use for which the forest land already stands diverted. However, with prior written consent of the primary user agency, permission for re-diversion may be accorded for the activities which are not fully compatible with the activity for which the forest land has already been diverted. No amount shall however, be levied by the primary user agency for grant of such consent. Declaration that no amount has been levied by him to accord the consent shall be integral part of his consent". Further at point (ii) (e) it states that "Conditions to be fulfilled by the secondary user agency (including its right and responsibilities) shall be stipulated by the Central Government on a case to case basis while according approval for re-diversion".

In this regard, a meeting with Chief Conservator of Forests, Wildlife (North) held on 14.01.2021 with the representatives of IRCON & TLD-IV Power Station and the matter was discussed in detail. Chief Conservator of Forests, Wildlife (North) desired that in this regard a consent letter may be issued from NHPC to take up the case for re-diversion of the said temporary land of 1.75ha to IRCON/NFR.

Accordingly NHPC is giving its consent that the said temporary land of 1.75 ha may be re-diverted in favour of IRCON/NFR as Teesta Low Dam-IV Power Station is now already commissioned Project and now this temporary land is not in use. However, IRCON/NFR may approach Kurseong Forest Division with this consent letter for re-diversion of Forest Land at right bank of Kalikhola 1.75 Ha in favour of IRCON/NFR for the purpose of construction of Sivok-Rangpo New BG Rail Line Project **subject to the condition that IRCON/NFR will fulfill all the conditions as stipulated by the Central government i.e. MOEF (FC Division) Letter F. No. 8-61/2004-FC dated 30.03.2006, F. No. 8-66/2009-FC-pt dated 30.09.2011 upto full satisfaction to the Kurseong Forest Division.**

Further, it is declared that "No amount shall be levied by TLDP-IV, NHPC Limited while re-diversion of this forest land of 1.75 ha to IRCON/NFR" if re-diversion of the land is agreed by Kurseong Forest Division.


27/01/21

(Sudhir Kumar Yadav)
General Manager In-Charge

Copy to:-

1. Principal Chief Conservator of Forests, Govt. of West Bengal, Kolkata
2. Additional Principal Chief Conservator of Forests, North Bengal
3. Chief Conservator of Forests, Hill Circle, Darjeeling West Bengal
4. Chief Conservator of Forests, Wildlife (North), Siliguri
5. Conservator of Forests (Central), Regional Office, Bhubaneshwar
6. DFO, Kurseong

तीस्ता लो डैम-IV पावर स्टेशन, कालीझोड़ा, जिला-दार्जिलिंग, पिन-734008 (पश्चिम बंगाल)।

TEESTA LOW DAM-IV POWER STATION, KALIJHORA, DIST. DARJEELING, PIN-734008 (W.B.)

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Regd. Office : NHPC Office Complex, Sector - 33, Faridabad, Haryana - 121 003 (India)
Website : www.nhpcindia.com; E-mail : webmaster@nhpc.nic.in; Phone : 0129-2588110/2588500
स्वहित व राष्ट्रहित में ऊर्जा बचाएँ / SAVE ENERGY FOR BENEFIT OF SELF AND NATION

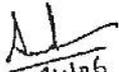
HANDING OVER AND TAKING OVER

The following list of forest area in Kurseong Forest Division is handed over to N.H.P.C. Ltd. For the Construction of Teesta Low Dam Project, Stage-IV, Kalijhora as per the Ministry of Environment & Forests, Government of India Letter No. F.No. 8-61/2004-FC dated 30.03.2006 and subsequent Principal Chief Conservator of Forests, Government of West Bengal Letter No. 250/LLT/3T-1(3) dated 10.04.2006.

1. Permanent area for Dam, and other structure at right bank of Teesta River as marked in the map
 - a) Forest Cover (FC):
(P1, P2, P3...P31, P1) and (P32, P33...P33, P32). 10.94 Ha
 - b) Water Bodies/River Bed (WB/RB):
(P1, CL1, CL2 ... CL6, P26, P27... P1). 7.25 Ha
2. Permanent Reservoir area at right bank of Teesta River as marked in the map
 - a) Forest Cover (FC): (R0, R1, R2, R3 ...R35, R0). 14.50 Ha
 - b) Water Bodies/River Bed (WB/RB):
(CL6, CL7...CL18, R15, R16... R35, CL6). 8.62 Ha
3. Temporary area for Dumping area at right bank of Kalikhola as marked in the map
 - a) Forest Cover (FC): (T1, T2, T3... T18, T1). 1.75 Ha

Total Area= 43.06 Ha

Handed Over By.


20/4/06

**S.P. Yadav, IFS
Divisional Forest Officer
Kurseong Forest Division**

Divisional Forest Officer
Kurseong Division

Taken Over By


20.4.06

**J.C. Sarkar
Manager (Civil)**

NHPC Ltd

Manager (Civil)

एन.एच.पी.सी. लि./NHPC Ltd.
ती हा का डॅम परियोजनाएं
Teesta Low Dam Projects

LIST OF DISTANCE AND BEARING OF THE DUMPING AREA (FOREST COVER)
KURSEONG FOREST DIVISION

POINT. NO.	DISTANCE (IN METRE)	FORE BEARING (IN DEG.MIN.SEC.)	BACK BEARING (IN DEG.MIN.SEC.)
T1			
T2	32.68	282-59-55	102-59-55
T3	26.93	249-39-38	69-39-38
T4	32.98	273-43-10	93-43-10
T5	48.57	280-16-08	100-16-08
T6	30.728	287-59-09	87-59-09
T7	23.55	275-46-33	95-46-33
T8	29.03	245-48-04	65-48-04
T9	19.74	241-24-37	61-24-37
T10	19.08	232-01-48	52-01-48
T11	26.00	224-31-24	44-31-24
T12	36.71	166-53-01	346-53-01
T13	44.51	90-11-35	270-11-35
T14	38.81	85-58-01	265-58-01
T15	72.93	81-22-24	261-22-24
T16	61.03	77-02-11	257-02-11
T17	27.2	74-10-13	254-10-13
T18	32.45	73-04-02	253-04-02
T1	35.24	341-41-37	161-41-37

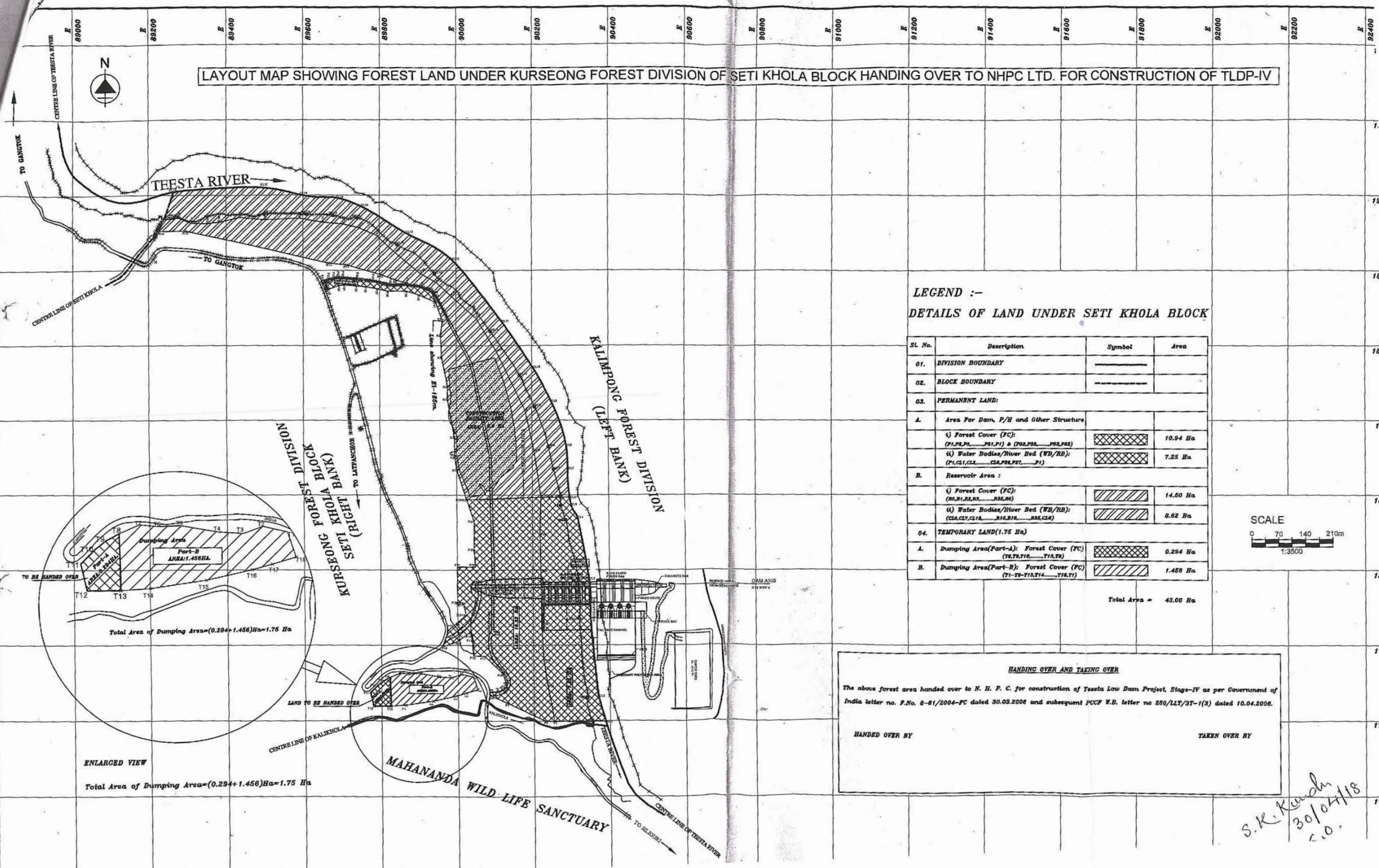
A.K. Chandhan
A.K. Chandhan
Engineer (Civil)

तीस्ता लो हैम परियोजना-IV
Teesta Low Dam Project - V
एन०एच०पी०सी० लि०/न०. TD.
कालिझोरा / Kalijhora
जिला: दार्जिलिंग / Dist. Darjeeling

Subbaraj K.
Subbaraj K.
Beat Officer
Kur Forest Beat
Sevoke Range

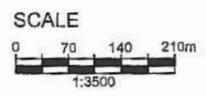
S. K. Das
S. K. Das
Forest Range Officer
Sevoke Range
Kurseong Forest Division

LAYOUT MAP SHOWING FOREST LAND UNDER KURSEONG FOREST DIVISION OF SETI KHOLA BLOCK HANDING OVER TO NHPC LTD. FOR CONSTRUCTION OF TLDP-IV



LEGEND :-
DETAILS OF LAND UNDER SETI KHOLA BLOCK

SL No.	Description	Symbol	Area
01.	DIVISION BOUNDARY	-----	
02.	BLOCK BOUNDARY	-----	
03. PERMANENT LAND:			
A. Area For Dam, P/H and Other Structure			
	i) Forest Cover (FC): (P1,P2,P3.....P31,P1) & (P32,P33.....P35,P34)	[Cross-hatched symbol]	10.34 Ha
	ii) Water Bodies/River Bed (WB/RB): (P1,CL1,CL2.....CL4,P36,P37.....P1)	[Cross-hatched symbol]	7.25 Ha
B. Reservoir Area :			
	i) Forest Cover (FC): (R0,R1,R2,R3.....R35,R6)	[Diagonal hatched symbol]	14.50 Ha
	ii) Water Bodies/River Bed (WB/RB): (CL4,CL7,CL18.....R16,R16.....R35,CL8)	[Diagonal hatched symbol]	8.82 Ha
04. TEMPORARY LAND(1.75 Ha)			
A.	Dumping Area(Part-A): Forest Cover (FC) (T12,T13,T16.....T15,T8)	[Cross-hatched symbol]	0.294 Ha
B.	Dumping Area(Part-B): Forest Cover (FC) (T1-T8-T15,T14.....T16,T7)	[Diagonal hatched symbol]	1.456 Ha
			Total Area = 43.06 Ha



HANDING OVER AND TAKING OVER

The above forest area handed over to N. H. P. C. for construction of Teesta Low Dam Project, Stage-IV as per Government of India letter no. F.No. 8-61/2004-FC dated 30.03.2008 and subsequent PCCF W.S. letter no 250/LLT/ST-1(s) dated 10.04.2008.

HANDED OVER BY _____ TAKEN OVER BY _____

S.K. Kaul
30/04/18
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LIST OF DISTANCE AND BEARING OF THE DUMPING AREA (FOREST COVER),
KURSEONG FOREST DIVISION

POINT NO.	DISTANCE (METRE)	FORE BEARING (IN DEG. MIN. SEC.)	BACK BEARING (IN DEG. MIN. SEC.)
T8			
T9	19.740	241-24-37	61-24-37
T10	19.060	232-01-48	52-01-48
T11	26.000	224-31-24	44-31-24
T12	36.710	166-53-01	346-53-01
T13	44.510	90-11-35	270-11-35
T8	75.892	358-29-45	178-29-45

S.K. Kundu
A.S.D.
30/04/18

F. No. 8-61/2004-FC
Government of India
Ministry of Environment & Forests
(FC Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi-110 003

Dated : 30th March 2006

872/ED(FC)
3/4/06. To

The Secretary (Forests),
Government of West Bengal,
Kolkata.

Sub: Diversion of 338.05 ha of forest land for construction of Teesta Low Dam Project Stage-IV in favour of National Hydro Electric Power Corporation in West Bengal.

Sir,

I am directed to refer to your letter No. 2025-For/10T-19/01 (Pt-I) dated 18.06.2004 and subsequent letter of Nodal Officer, No. 3746/NLT/3T-1 (3) dated 01.09.2004 on the above mentioned subject whereunder the above proposal was submitted seeking prior approval of the Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980 and to say that the above proposal was examined by the Forest Advisory Committee constituted under Section-3 of the Forest (Conservation) Act, 1980.

2. After careful consideration of the proposal of the State Government and on the basis of the recommendation of the above mentioned Advisory Committee, the Central Government granted in-principle approval vide letter of even no. dated 12.01.2005 subject to certain conditions. The compliance of these conditions was submitted vide your letter No. 1093-For/FR/O/L/10T-19/01 Pt-I dated 22.03.2005. After consideration of the proposal and compliance of various conditions by the State Government, the Central Government hereby conveys its approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 338.05 ha of forest land for construction of Teesta Low Dam Project Stage-IV in favour of National Hydro Electric Power Corporation in West Bengal, subject to the fulfilment of following conditions :-

- (i) Legal Status of the forest land shall remain unchanged.
- (ii) Compensatory Afforestation will be raised and maintained over non-forest land equal in extent to the forest land proposed to be diverted, at the cost of user agency.
- (iii) The non-forest land proposed for Compensatory Afforestation should be declared as Reserved Forest under Indian Forest Act, 1927. The Nodal Officer shall submit compliance in this regard within six months.

- (iv) Felling of trees shall be done only when necessary and should be done with the prior permission of the State Forest Department.
- (v) The entire reservoir area shall be declared as a Reserved Forest under Indian Forest Act, 1927 with regulated fishing rights.
- (vi) The State Government shall deposit NPV and all other funds with Compensatory Afforestation Fund Management and Planning Authority (CAMPA), which has already been constituted and notified by the Central Government on 23.04.2004. Till such time, the CAMPA intimates the Head of Account for deposition of funds, the funds shall be maintained in the form of fixed deposits in the name of Nodal Officer or concerned Divisional Forest Officer of the State Government. The funds realized towards the NPV shall not be utilized by the State Government.
- (vii) An undertaking from the user agency may be obtained stating that in case the rates of NPV are revised upward the additional/differential amount shall be paid by the user agency.
- (viii) Demarcation of the area shall be done on the ground at the project cost by fixing 4 feet high RCC pillars showing forward and backward bearings.
- (ix) Green belt of adequate width shall be raised around the reservoir at the cost of the project authorities.
- (x) The recommendations given by Geological Survey of India to protect the Kalijhora terrace deposit and other landslide prone areas on the right and the left banks of the Teesta River and to mitigate the adverse effects of poundage of river water shall be strictly followed and implemented by the user agency in consultation with the State Forest Department. Construction of masonry protection toe wall, load bearing support system alongwith embankments/breast walls and other engineering measures should be adopted to protect these areas. Proper drainage arrangements should be developed to reduce the instability. Alongwith engineering measures the vegetative measures shall also be adopted to stabilize the slopes and landslide areas. An instrument aided monitoring system should be installed to identify any perceptible changes in the slope morphology in future. All steps shall be taken to prevent landslides, for slope stability, to ensure damage to the roads and to prevent any loss of human life and establishment. The progress of such measures shall be strictly monitored by the State Forest Department.
- (xi) The user agency shall provide for protection of Savoke Range Office building and Forest Rest House and for their reconstruction, in case of damage to these buildings due to project activities.
- (xii) The dumping area for muck disposal shall be stabilized and reclaimed and plantation of suitable species shall be carried out over dumping areas at the cost of the user agency under the supervision of State Forest Department. Stabilization and reclamation of such dumping sites shall be completed as soon as the excavation work is over, before the project is closed.
- (xiii) The user agency shall ensure that muck does not roll down the slopes. All such areas where muck has rolled down the slopes shall be rehabilitated at the cost of user agency and under the supervision of State Forest Department.
- (xiv) While constructing approach roads sufficient safety measures shall be adopted to avoid rolling down of muck/debris along the slope and damage to fc t area should be avoided.

- (xv) Removal of stones/boulders shall be done in the manner so that this does not affect the stability of banks and natural course of river. The collection of stones/boulders shall be allowed till the construction works of the project are complete. After that the area shall be handed back to the State Forest Department after proper reclamation and rehabilitation.
- (xvi) The Catchment Area Treatment (CAT) Plan shall be implemented at the project cost.
- (xvii) All the areas required for temporary use shall be handed over back to the Forest Department after proper rehabilitation at the project cost and under the supervision of State Forest Department.
- (xviii) All efforts should be made for protection of the environment at the cost of user agency.
- (xix) No labour camps shall be set up in the forest area nor any habitation should be allowed to come up in the forest area.
- (xx) All efforts should be made by the user agency to avoid any damage to the wildlife found in the area.
- (xxi) Steps may be taken to minimize biotic pressure over adjoining/nearby forests.
- (xxii) The forest land shall not be used for any purpose other than that specified in the proposal.
- (xxiii) The forest land thus diverted shall be non-transferable. Whenever and whatever extent of forest land is not required, it shall be surrendered to the State Forest Department under intimation to this Ministry.

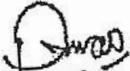
The State Government shall ensure compliance of all the above conditions.

Yours faithfully;

(Pankaj Asthana)
Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, Government of West Bengal, Kolkata.
2. The Nodal Officer, O/o PCCF, Government of West Bengal, Kolkata.
3. The Conservator of Forests (Central), Regional Office, Bhubaneswar.
4. User Agency.
5. Guard File.
6. Monitoring Cell of FC Section.
7. PS to IGF (FC).


(Pankaj Asthana)
Assistant Inspector General of Forests



एन एच पी सी लिमिटेड
NHPC Limited
(A. Co. Ltd. of India Government)

टीस्ता लो डैम परज-IV, पावर स्टेशन, कालिहोरा
Teesta Low Dam IV P.S. Kalijhora
पो. कालिहोरा, जिला दार्जिलिंग - 734320 (प.प.नाल)
PO-Kalijhora, Distt. Darjeeling-734320 (W.B.)
Phone: 03552-279215, Fax: 03552-279252
E-Mail: gm_nhpcldp@yahoo.com

NH/TLD-IV PS/GM(IC)/2019/24/2092

Date: 15.01.2020

REMINDER

Divisional Forest Officer
Kurseong Forest Division, Distt. Darjeeling.
Kurseong, W.B-734204

Sub: Temporary Handling and taking over of forest land in respect of Kurseong Forest Division- for collection of boulders, river bed materials- muck dumping site- reg.

Ref: 1) 2019/8-8(C) dated Downhill the, 22.08.2019
2) NH/TLD-IV PS/GM/24/1654 dtd.07.05.2018
3) NH/TLD-IV PS/GM(IC)/2019/24/2086 dtd.20.09.2019

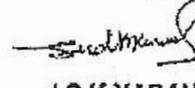
Sir,

This is in continuity at our earlier letters as referred above at Sr. No.1 and 3 vide letter in reference. It was requested to depute an authorized representative from Forest Division to take over the land of 1.75 Ha handed for dumping site in compliance at Kurseong Forest Division in terms of clause XVII of MOEF letter no. 8-61/2004-FC dated 30.03.2006.

However response from your side is still awaited. It is once again requested to depute an authorized representative from Forest Division to take over the land of 1.75 Ha handed over to NHPC for dumping site..

Thanking you.

Yours faithfully,


15/01/20

(S K YADAV)

General Manager In-Charge

Copy to:

Internal:-

1.ED, Regional Office, Siliguri

External:

- 1.PCCF, Govt of West Bengal, Kolkata
- 2.CCF, Hill Circle, West Bengal
- 3.CF (Central), Regional Office, Bhubaneswar

स्वहित एवं राष्ट्र हित में ऊर्जा बचाएँ

"Save Energy for Benefit of Self and Nation"

- पंजीकृत कार्यालय : एनएचपीसी परिसर, सैक्टर-33 फरीदाबाद-121003 (हरियाणा)
CIN L40101HR1975GOI032564



एनएचपीसी लिमिटेड
(भारत सरकार का उपक्रम)

NHPC Limited
(A Govt. of India Enterprise)

ISO-9001, 14001 & ISO 15001 Certified Company

तीस्ता लो डैम -IV पावर स्टेशन

Teesa Low Dam -IV Power Station

कालीखोला,पोस्ट ब्राह्मिन- कालीखोला बाजार

Kalijhora, P.O. Kalijhora Bazar

जिला -दार्जिलिंग -734320 (पश्चिम बंगाल)

Distt.Darjeeling-734320(West Bengal)

Ph No. 03552 279259, Fax: 03552-279251 mail:

NH/TLD-IV PS/GM(IC)/ 2019/2A/2086

20.09.2019

Divisional Forest Officer
Kurseong Forest Division, Distt. Darjeeling.
Kurseong, West Bengal -734204

Sub: Temporary Handing and Taking Over of Forest land in respect of Kurseong Forest Division – for collection of Boulders, River Bed Materials – Muck Dumping Site - Reg.

Ref: 2019/8-8(C) dated Dowhill the, 22.08.2019

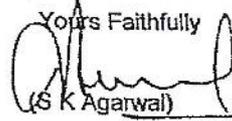
Sir,

This has reference to letter no. 2019/8-8(C) dated Dowhill the, 22.08.2019, the following is submitted for consideration.

1. As stated in the letter under reference that an area 26.383 Ha was temporarily diverted for collection of River Bed Material from forest area on 06.08.2007, in this regard it is informed that as per our records, no such land was handed over to TLDP –IV Project by Kurseong Forest Division which may kindly be seen.
2. Further, a temporary land measuring 1.75Ha was handed over by Kurseong Forest Division on dated 20.04.2006 for dumping area at right bank of Kalikhola. (Copy enclosed). In this regard please take reference to our letter no. NH/TLD-IVPS/GM/ 24/1654 dated 07.05.2018, wherein it is stated that this temporary land can be handed over back to Kurseong Forest Division in terms of clause XVII of MOEF letter no. 8-61/2004-FC dated 30.03.2006. (Copy of MOEF letter is enclosed)

It is therefore requested again to depute an authorized representative from Forest Division to take over the land of 1.75Ha handed over to NHPC for dumping site.

Thanking You

Yours Faithfully

(S K Agarwal)

General Manager In-Charge

Copy To:

Internal : -

1. ED, Regional Office, Siliguri

External:

1. PCCF, Govt of West Bengal, Kolkata
2. CCF, Hill Circle, West Bengal
3. CF (Central), Regional Office, Bhubaneshwar

CIN L40101HR1975GOI032564

Regd. Office: NHPC, Office Complex, Sector-33, Faridabad-121003, Haryana

एन एच पी सी लिमिटेड
(भारत सरकार का उद्यम)

NHPC Limited
(A Govt. of India Enterprise)

तीस्ता लो डैम- IV PS, कालिजोरा बाजार, कालिजोरा, जिला: दार्जीलिंग, (प. बंगाल) 734320.

Teesta Low Dam -IV PS, Kalijhora Bazar, Kalijhora, Dist: Darjeeling, (W. Bengal) 734320.

H/TLD-IV PS/GM/24/1654

DT. 07/05/2018

Divisional Forest Officer,
Teesta Forest Division

Darjeeling, West Bengal.

Subject: -Regarding Handing Over and taking over of forest land.

Reference: i) Letter no. F.NO-8-61/2004-FC, dtd.30.03.2006

ii) Letter no-250/LLT/3T-1(3), dtd. 10.04.2006

Reference is invited to condition no. (XXIII) of letter no. 8-61/2004-FC dtd.30.03.2006 (copy enclosed) addressed to secretary (forest), Govt. of West Bengal, Kolkata by Assistant Inspector General of forests. The condition no. (xxiii) is reproduced below:

Where forest land thus diverted shall be non-transferable whenever and whatever extent of forest land is not required. It shall be surrendered to the forest department under intimation to this ministry.

NHPC has commissioned the TLD-IV Project in August, 2016. Now land measuring of 0.294 hectare part of 1.75 hectare of temporary area of dumping area at right bank of Kalijhora as marked in the map is not required for the further purpose of NHPC, which is mandated to be surrendered to the forest department, Govt. of WB, Kolkata as stipulated above.

In view of this, it is requested to depute some authorized person from your office for taking over the forest land as mentioned above.

Thanking You.

Yours's faithfully,

A. Choudhary
07/05/2018
General Manager,
TLD-IV, PS

Copy To,

Internal:-

- Executive Director, Regional Office, Siliguri.
- Chief Engineer (Civil), TLD-IV, PS, Kalijhora.

External:-

- Secretary (Forest), Govt. of WB, Kolkata
- Principal Chief Conservator of forest, Govt. of WB, Kolkata
- Nodal Officer, O/o PCCF, Govt. of WB, Kolkata
- The Conservator of forest (Central), Regional office, Bhubaneswar

Manager (C) - CSR

[Signature]
7/5/18

F. No. 8-66/2009-FC-pt
Government of India
Ministry of Environment and Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 510.
Dated: 30th September, 2011

To

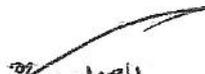
The Principal Secretary (Forests),
All States / Union Territory Governments except Jammu and Kashmir

Sub: Guidelines for re-diversion of forest land under the Forest (Conservation) Act, 1980.

Sir,

I am directed to say that this Ministry received proposals for re-diversion of a part or whole of the forest land that has already been diverted under the Forest (Conservation) Act, 1980. To facilitate decisions on such proposals, this Ministry, on the basis of the recommendations made by the Forest Advisory Committee constituted under section-3 of the afore-mentioned Act, hereby issues following guidelines:

- (i) "Re-diversion" may be defined as diversion of a part of already diverted forest land for using for another non-forest use by some other user agency while continuing the use of whole of the diverted land by the primary user agency in whose favour the land has already been diverted earlier.
- (ii) The procedure in respect of re-diversion (second and unrelated use) of forest land shall be as below:
 - (a) Re-diversion of forest land to another user agency of already diverted forest land, shall normally be considered if the proposed new use/activity (both for public utility or otherwise) is compatible with and does not hinder its use for which the forest land already stands diverted. However, with prior written consent of the primary user agency, permission for re-diversion may be accorded for the activities which are not fully compatible with the activity for which the forest land has already been diverted. No amount shall however, be levied by the primary user agency for grant of such consent. Declaration that no amount has been levied by him to accord the consent shall be integral part of his consent.
 - (b) In case the primary user agency feels that re-diversion of forest land although not incompatible but may hinder compliance of any of the conditions stipulated while

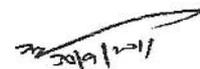

30/9/2011

- according approval for its diversion in its favour, details of such conditions along with desired amendment may be indicated in its consent letter.
- (c) All proposals seeking re-diversion shall be accompanied with a written consent (along with a declaration that no amount has been levied while giving the consent) of the primary user agency. However, in case the applicant user agency seeking re-diversion is of the view that though the proposed use/activity by him is fully compatible with and does not hinder in any manner execution of the activity for which the forest land has already been diverted in favour of the primary user agency, but the primary user agency has refused to accord his consent, it may request the Nodal Officer, giving him the full details of the activities for which the forest land has been diverted in favour of the primary user agency and the activities proposed to be undertaken by it, to accept the proposal without prior consent of the primary user agency. On receipt of any such request if the Nodal Officer may after hearing the primary user agency (after giving him advance notice) is satisfied that the such activities are compatible, he may accept the proposal for re-diversion even without the consent of the original user agency. In such cases in-lieu of the consent from the original user agency, a note from the Nodal officer giving full details of the basis on which such decision has been taken by him shall be enclosed with the proposal.
- (d) In case Central Government is satisfied that re-diversion of the forest land may hinder compliance of any of the conditions stipulated for diversion of forest land in favour of the original user agency, the Central government while according approval for re-diversion may appropriately amend such conditions. Any additional condition to be fulfilled by the original user agency to facilitate the new user agency to use the forest land re-diverted in its favour shall also be stipulated by the Central Government on case-to case-basis while according its approval for re-diversion.
- (e) Conditions to be fulfilled by the secondary user agency (including its rights and responsibilities) shall be stipulated by the Central Government on a case-to-case basis while according approval for re-diversion.
- (f) Full amount of NPV for the re-diverted land, at the rate applicable on the date of re-diversion, shall be realised from the second user agency by the State/UT Government concerned.

2019/10/1

- (g) Cost to raise compensatory afforestation shall however be recovered from the secondary user agency if the same in respect of the forest land proposed for re-division has not already been recovered from the primary user agency;
- (h) Boundary of the re-diverted forest land shall be clearly demarcated on the ground by the secondary user agency;
- (i) To prevent any speculative trade in forest land, no amount in the name of lease rent, annual fee/rent or any other such name shall be levied by the primary user agency from the secondary user agency in whose favour the forest land is re-diverted. However, in case the activity to be undertaken by the secondary user agency results in damage to the structure/property of the primary user agency, the same shall be restored by the secondary user agency to the full satisfaction of the primary user agency.

Yours faithfully,

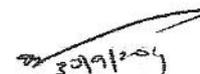


(H.C. Chaudhary)

Assistant Inspector General of Forests

Copy to:-

1. Principal Chief Conservator of Forests, all State/UT Governments except Jammu and Kashmir.
2. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments except Jammu and Kashmir
3. All Regional Offices, Ministry of Environment & Forests.
4. All Assistant Inspector General of Forests in Forest Conservation Division, MoEF.
5. Dy. Secretary, R.O. (HQ), Ministry of Environment & Forests, New Delhi.
6. Guard File.



(H.C. Chaudhary)

Assistant Inspector General of Forests