



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

DEMAND NOTE NO. I

[Rule 8(b) of Forest (Conservation) Amendment Rules 2014]

Name of User Agency : The General Manager,
NHIDCL,
C/o Dr. Sundeep Pradhan Building,
Sichey Link Road, Middle Sichey,
Gangtok, East Sikkim.

Name of project proposal: **Proposal for diversion 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).**

As per Stage-I (In-Principle) approval accorded by the Central Govt. vide letter No. SK-ROAD-43/2021/FC/233 dated 29.09.2021 under Section 2 of Forest (Conservation) Act, 1980, the compensatory levies are hereby charged as under :-

Sl. No.	Charges of compensatory levies	Stage-I Condition No of IPA	Amount (Rs.)
1	Compensatory afforestation scheme	A (1)	1,32,886.00
2	Net Present Value (NPV)	A (2)	4,27,050.00
TOTAL			5,59,936.00

(Rupees five lakhs fifty nine thousand nine hundred and thirty six) only

The payment of the compensatory levies shall be transferred to Ad hoc CAMPA through e-portal duly generating E- Challan. Payment details as per challan along with the compliance report may be furnished for seeking the Final Approval under the said Act accordingly, please.


Bhan Tshering Targain
(Bhan Tshering Targain) (FAS)
Joint Director
Forest & Environment Deptt
Govt. of Sikkim



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Email: fea.sikkim@gmail.com

Ref. No. 1883/FCA/F&ED/ 200

Dated: 12/10/2021

To,

✓ The General Manager,
NHIDCL,
C/o Dr. Sundeep Pradhan Building,
Sichey Link Road, Middle Sichey,
Gangtok, East Sikkim

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) - In Principle approval reg.

Proposal No.: FP/SK/OTHERS/44304/2020

Sir,

The undersigned is directed to inform you that the Ministry of Environment, Forest & Climate Change, Government of India, has accorded its Stage - I (In-Principle) approval under Section 2 of the Forest (Conservation) Act, 1980 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) subject to fulfillment of conditions as stipulated in the approval No. SK-ROAD-43/2021/FC/233 dated 29.09.2021 (copy enclosed), which are as follows:-

A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

- (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) for **Rs. 1,32,886.00 (Rupees one lakh thirty two thousand eight hundred and eighty six) only** shall be deposited in advance with Forest Department by the project Authority. The CA will be maintained for 10 years (Demand Note-I enclosed).
- (2) The User Agency shall transfer online Net Present Value (NPV) for **Rs. 4,27,050.00 (Rupees four lakhs twenty seven thousand and fifty) only** 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. (Demand Note-I enclosed).

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>).



(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 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>).

B. Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted to Stage-II approval.

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

(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.

(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.

(4) User Agency shall upload the Forest Right Act (2006) certificate in PARIVESH before Stage-II Approval.

(5) User Agency shall upload the certificate of non-availability of non-forest land for Compensatory Afforestation in PARIVESH before Stage-II Approval.

(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.

(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.

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

(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.

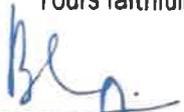
- (f) All the natural streams and Water Bodies in surrounding area shall be protected.
- (g) The user agency shall take necessary mitigative measures to prevent soil erosion in the area.

- (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.

- (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.

Therefore, you are requested, to fulfil the above conditions and submit the compliance report at the earliest for onward submission to the MoEF&CC, Government of India for seeking Final Approval under Section 2(ii) of Forest (Conservation) Act, 1980. **"Diversion of forest land shall not be effected till the final approval to the proposal is granted by the Central Government."** Demand Note in respect of Conditions No. A(1), A(2) are also enclosed for realization of payment.

Yours faithfully,


(Blen Tshering Torgain)
Joint Director (ECA)
Forest & Environment Deptt.
Govt. of Sikkim