



#### GOVERNMENT OF SIKKIM

#### FORESTS AND ENVIRONMENT DEPARTMENT FOREST SECRETARIAT, DEORALI, GANGTOK-737 102

Email:fca.sikkim@gmail.com

Ref. No. 2028/FCA/F&ED/ 5076

#### COMPLIANCE REPORT

To,

The Deputy Director General of Forest, Regional Office, Bhubaneswar Ministry of Env. Forests & Climate Change, Government of India, IB-198, Sector-III, Salt Lake City, Sub- Office, Kolkata -700106.

Sub:

Proposal for diversion of 0.0036 Ha of forest land for construction/setting up snow pillows at Sherethang under National Hydrological Project at Sherathang in Gangtok District of Sikkim by Water Resource Department, Govt. of Sikkim - Company reg.

Ref. Letter No. IRO/KOL/SK/Others/151788/2022/132 dated 10.04.2023.

Sir.

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FOREST CO

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: -

	SI. No.	Conditions	Compliance	
	A. C	ondition which needs to be compiled prior to handing over of fore	est land by the State Forest	
	1	The cost of compensatory afforestation on the CA land (1 ha) as proposed by Forest Department at the prevailing wage rates as per compensatory Afforestation scheme shall be deposited in advance with Department by the project Authority. The CA will be maintained for 10 years	The user agency has complied and deposited Rs. 1,53,948.00 through NEFT/RTGS Challan.	
	2	The User Agency shall transfer online for charge the normal Net Present Value (NPV) payable for the 0.0036 ha forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP ( C) No.202/1995 and as per the guidelines issued by the Ministry vide letter No. 5-1/1998-FC(Pt.II) dated 8/09/2003.as well as letter No. 5-2/2006-FC dated 03/10/2006, 5-3/2007-FC dated 05/02/2009 and 5-3/2011-FC(vol-I) dated 19/01/2022 in this regard.	The user agency has complied and deposited Rs. 3,619.00 through NEFT/RTGS Challan.	
d f	3	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. 1,57,567.00 deposited through NEFT/RTGS Challan for Ad-Hoc CAMPA by the	
1120	לאם	The complete compliance of the FRA, 2006 shall be ensured by	user agency. The user agency has	
	Nardop Nardop	way or prescribed certificate from the concerned District Collector.	submitted (Annexure-I)	
CF, EP	DQ2010	Submitting compliance report for seeking Stage-II approval.	Agreed	
Coveu	1984	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as		
OMEST CONST	6 MATHER AN HIBS	Comprehensive Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.	The user agency has submitted undertaking (Annexure-II).	
	7	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in).	Complied.	

Lor	ditions which need to be strictly complied on field after handing or Agency by the State Forest Department but the compliance in for upmitted prior to Stage-II approval;	IIII OI WILLIAM TO		
		The user agency has		
	ubmitted prior to Stage-II approval; egal status of forest land proposed for diversion shall remain	submitted undertaking		
1	nchanged.	(Annexure-III).		
1				
	Compensatory afforestation shall be taken up by the Forest			
	Compensatory afforestation shall be taken up by the Compensatory afforestation shall be taken up by the Compensatory afforestation shall be taken up by the Compensatory afforest Division at the Compensatory afforest Division) at the Compensatory afforest Division at the Compensatory	Agreed		
2	t -f the week economy he for be nossinie a minimus .			
	native species shall be planted and monoculture of any species,			
	ospecially non-native species should be avoided.			
	Additional amount of the NPV of the diverted forest land, Il ally,	1		
	becoming due after finalization of the same by the normal	The user agency has		
3	Supreme Court of India on receipt of the report from the Expert	submitted undertaking		
·	Committee, shall also be charged by the Government from the User Agency. The User Agency shall furnish an undertaking to	(Annexure-IV).		
	this effect.			
	The expenditure like felling, logging and transportation of project			
	affected trees should be deposited in the cutting & felling account			
	of the Government for utilization immediately following the	The user agency has		
4	diversion of the forest land. User Agency shall restrict the felling of	deposited Rs. 93,000.00 in		
	trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the Forest	SISCO, Bank.		
	Department and the cost of felling of trees shall be deposited by			
	the User Agency with the Forest Department.			
	The boundary of the diverted forest land shall be suitably	The user agency has		
5		submitted undertaking		
	furnish an undertaking to this effect.	(Annexure-V).		
	Wherever possible and technically feasible, the User Agency shall			
	undertake appropriate afforestation or vegetation enrichment	The user agency has submitted undertaking		
6	measures near the site(s) related to the area diverted under this			
	approval, in consultation with the Forest Department at the project cost.	(Annexure-VI).		
	The lay out plan of the proposal shall not be changed without prior	The user agency has		
7	approval of the Central Government.	submitted undertaking		
-	(a) All the material to	(Annexure-VII).		
	(a) All the natural streams and water bodies in surrounding area			
	shall be protected.			
	(b) The User Agency shall ensure that the labourers and staff			
	engaged in construction activity do not damage the nearby forest flora and fauna.			
	(c) Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed of in the			
	adjoining forest area by the user agency.	The user agency rias		
	(d) No labour camp shall be established on the forest land.	submitted undertaking		
	(e) The User Agency shall provide alternate fuels preferably LPG	(Annexure-VIII-XIII).		
	to the labourers and the staff working at the site so as to avoid any			
	damage and pressure on the nearby forest areas.			
	(f) During and after the construction period of the project, the			
	project authority shall continue to Forest Department for			
	conservation and development of natural resources of State.			
	(a) The forest land shall not be used for any purpose other than			
	trial specified in the Project proposal.			
	(b) The period of diversion under this approval shall be as			
	e terminus with the period of the project life	The doct agency has		
	(c) The forest land proposed to be diverted shall under a	submitted undertaking		
	officultistatices be transferred to any other agencies, department of	O (Annexure-XIV-XVI).		
	person without prior approval of Central Government			
	Any other conditions that the Ministry of Environment E	& The		
	To Tollingto Change Hay Silbiliate from time to time in the	& The user agency has of submitted undertaking		
L	conservation, protection and development of forest and wildlife.	(Annexure-XVII).		

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 (ii) of the Forest (Conservation) Act, 1980, please.

Yours sincerely,

(Brijendra Swaroop, IFS), APCCF-cum-Nodal Officer (FCA),

Brijendra Swaroop, IFS APCCF, Env. & S.C., SBFP, SF, Plng, M&E.

Forests & Environment Department Government of Sikkim.

### Copy to for information:-

- 1. Secretary, F&ED, GoS
- 2. CF(T)
- 3. DFO (Territorial) Mangan & follow up n. a.
- 4. File

## Annexure-II

## Information to be furnished about transmission of funds to CAMPA

1		Water Resource Department, Government of Sikkim-Construction/Setting up of construction/setting up snow pillows at Sherethang under National Hydrological Project at Sherathang in Gangtok District of Sikkim		
2	Location of forest area diverted (State/Distt/Taluk/Village) Pl. also give log/lat details. If available.	Gangtok District of Sikkim.		
3	Extent of forest area applied for, for diversion	0.0036Ha		
4	Extent of forest area approved for diversion	0.0036 Ha		
	proposal was forwarded (pl. attach a copy of the forwarding letter, copy of enclosures not required)	No. 2004/FCA/F&ED/14 dated 14.06.2023		
	6 No. and date of Stage-I clearance (pl. attach copy)	No. IRO/KOL/SK/Others/151788/2022/132 dated 10.04.2023		
	7 No. and date of Stage-II clearance (pl. attach copy)	dated 10.04.2025		
-	8 Details of compensatory afforestation funds viz:			
	(i) Details of Compensatory Afforestation Fund.	Rs. 1,53,948.00		
	(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. 3,619.00		
	(vii) Any other charges levied (pl. specify)	0		
	(viii) TOTAL OF (i) to (viii)	Rs. 1,57,567.00		
	9 Date of collection of fund as in SI. No. above, with:	11.09.2023		
	(i) Authority by whom collected:	Sikkim CAMPA		
	(ii) Details of Bank Draft/Cheque (DD/Cheque No. &	Corporation Bank, Lodhi Branch, Block		
	date or RTGS/NEFT No.) Bank in which drawn, and	No. 11, CGO Complex, Phase - I, Lodhi		
	in whose favour the instrument was drawn.	Road, New Delhi – 110 003.		
	(iii) Date of remittance to Govt. account, indicating Account No., Bank and Branch details.			
	Details of remittance of funds as in Col. 8 above to	CA - Rs. 1,53,948.00		
	CAMPA, indicating:	NPV - Rs. 3,619.00		
		Total - Rs. 1,57,567.00		
	(i) Authority by whom remitted:	ADCCE our Nodel Off		



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Memo no. H33

Date: 3.10.2023

To
The Nodal Officer (FCA)
Forest and Environment Department
Government of Sikkim
Forest Secretariat Deorali, Gangtok 737102

Sub: <u>Diversion of 0.0036 Ha of forest land for construction / setting up snow pillow at Sherathang under National Hydrological Project at Sherathang in Gangtok District of Sikkim by Water Resources Department, Govt. of Sikkim.</u>

Sir,

This is in reference to Stage I approval (In Principle) of the State Government along with Demand note I and II vide letter no 2004/FCA/F&ED/14 dated 14/6/2023. Accordingly, compliances are made and submitted as follow

SN	Condition to be fulfilled	Compliance		
A. ا	Condition which needs to be compiled prior to handing over of forest lan Department:	d by the State Forest		
1.	The cost of compensatory afforestation on the CA land(1 ha) for Rs.1,53,948.00 (Rupees one lakh fifty three thousand nine hundred and forty eight) only as proposed by Forest Department at the prevailing wage rates as per compensatory Afforestation scheme shall be deposited in advance with Department by the project Authority. The CA will be maintained for 10 years. (Demand Note-I enclosed).	An amount of Rs 1,53,948.00 has been transferred to Ad hoc CAMPA through e portal generated on PARIVESH portal towards the charges of Compensatory afforestation scheme.		

	The User Agency shall transfer online for change the normal Net Present Value (NPV) for RS.3,619.00 (Rupees three thousand size hundred and nineteen) only payable for the 0.0036 ha forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme Court of the India dated 30/10/2002,01/08/2003,28/03/2008,24/04/2008 and 09/05/2008 in No.566 in WP © No.202/1995 and as per the guideline issued by the Ministry vide 03/10/2006,5-1/1998-FC(Pt.II) dated 8/09/2003.as well letter No. 5-2/2006-FC dated 03/10/2006,5-3/2007-FC dated 05/02/2009 and 5-3/2011-FC(vol-I) dated 19/01/2022 in this regard.(Demand Note —I enclosed).	generated on PARIVESH portal towards the charges of Net Present Value (NPV)  as
3.	All the funds received from the user agency under the project shall b transferred /deposited to CAMPA fund only through e-portal (https://parivesh.nic.in).	e Agreed
4.	The complete compliance of the FRA, 2006 shall be ensured by the woof prescribed certificate from the concerned District Collector.	The prescribed certificate of the FRA 2006 from the concerned District Collector was already obtained and submitted in the Forest clearance Proposal.
5.	The KML files of the area to be diverted and the CA area shall be uploaded on the e-Green watch portal with all requisite details and submitting compliance report for seeking Stage –II approval.	Agreed
6.	Violation of any of these condition will amount to violate of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of chapter 1 of the Handbook of Comprehensive Guideline Forest (Conservation) Act,1980 as issued by this Ministry's letter No. 2/2017-FC dated 28.03.2019.	e of .5-
7.	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in).	reed
В:	Condition which needs to be strictly compiled on the field after ha Agency by the State Forest Department but the compliance in form prior to Stage –II approval;	
1.	Legal status of forest land proposed for diversion shall remain Agunchanged.	reed (Undertaking enclosed)

0	2.	Compensatory afforestation shall be taken up by the Forest Department over 1.0 ha degraded forest land (Location – Latui RF, Kyongnosla (T) Range under East Territorial Forest Division) at the cost of 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.	Agreed
	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 Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	Agreed (Undertaking enclosed)
	4.	The expenditure like felling, logging and transportation of the project affected trees for Rs.93,000.00 (Rupees ninety-three thousand) only should be deposited in the cutting & felling account of the Government for utilization immediately following the diversion of the forest land. User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the supervision of the Forest Department and the cost of felling of trees shall be deposited by the User Agency with the Forest Department. (Demand Note —II enclosed).	An amount of Rs 93,000.00 has been remitted to Felling, logging and transportation of project affected tree account of Forest Department bearin account no 100134029100112 IFSC co IBKL0108SIC against Demand Note II
	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. The User Agency shall furnish an undertaking to this effect.	Agreed (Undertaking enclosed)
	6.	Wherever possible and technically feasible, the User Agency shall undertake appropriate afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the Forest Department at the project cost.	Agreed

Agreed

(Undertaking

enclosed)

The lay out plan of the proposal shall not be changed without

prior approval of the Central Government.

7.

8.	sha (b) eng for no sh ag No (e)	All the natural streams and water bodies in surrounding area ill be protected.  The User Agency shall ensure that the labourers and staff gaged in construction activity do not damage the nearby sest flora and fauna.  (c) Earth or any other material shall the brought from and debris resulting during construction all not be disposed of in the adjoining forest area by the user sency.  (d)  (d)  The User Agency shall provide alternate fuels preferably LPG of the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.  (f) During and after the construction period of the project, the project authority shall continue to Forest Department for conservation and development of natural resources of State.		ed dertaking losed)
9.		(a) The forest land shall not be used for any purpose other that specified in the Project proposal.  (b) The period of diversion under this approval shall be coterminus with the period of the project life.  (c) The forest land proposed to be diverted shall under no circumstance be transferred to any other agencies, department or person without prior approval of Central Government.		Agreed (Undertaking enclosed)
	10.	Any other condition 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.	est	Agreed (Undertaking enclosed)
		Now, I would like to request your good office to kindly arrar section 2 of the Forest Conservation Act 1980 and grant per installation activities in the above cited location.	111119	or final approval under sion to take up the

Superintending Enginer (NHP)

Water Resources Department
Superiodending Engineer
Negonal Horizon
Services Deservices D



Memo no. H 33 A

Date: 3.10.2023

#### **Undertaking**

The Water Resources Department Govt. of Sikkim hereby undertake in respect of diversion of 0.0036 Ha of forest land for construction / setting up snow pillow at Sherathang under National Hydrological Project at Sherathang in Gangtok District of Sikkim that Violation of any of these condition will amount to violation of Forest (Conservation) Act 1980 and action would be taken as prescribed in para 1.21 of Chaper 1 of the Hand book of Comprehensive Guidelines of Forest (Conservation ) Act 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019

Superintending Engineer (NHP)



Memo no. 4336

Date: 3.10.2023

#### **Undertaking**

This is to certify that boundary of the diverted forest land shall be suitably demarcated on ground at project cost, as per the direction of the concerned Divisional Forest Officer under forest diversion proposal for construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)

Superintending Engineer
SPMU National Hydrology Project
Water Resources Department
Water Resources Department
Govt of Sikkim Sokeythang



Memo no. 433 C

Date: 3.10.2023

#### Undertaking

This is to certify that No labour camp shall be established on the forest land during the construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)



Memo no. 433

Date: 3,10,2023

## Undertaking

This is to certify that all the natural streams and water bodies in surrounding area shall be protected under forest diversion proposal for construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)



Memo no. H33 E

Date: 3, 10,2123

#### **Undertaking**

This is to certify that during and after the installation period of the project the authority shall continue to assist the State Forest Department for conservation and development natural resources of the state under proposed diversion for construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)



Мето по. 433 F

Date: 3.10.2023

#### Undertaking

This is to certify that the forest land shall not be used for any purpose other than specified in the project proposal under forest diversion proposal for construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)



Momo no. 483 4

Date: 3. 10.2023

#### Undertaking

This is to certify that Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed of in the adjoining forest area by the department under forest diversion proposal for construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)

Superintending Engineer
Superintending Engineer
Project
Superintending Engineer





Memo no. 433 H

Date: 3.10. 2023

#### Undertaking

This is to certify that the user agency is ready to pay the additional amount of Net Present Value (NPV)at present rate for the diversion of 0.0036 Ha of forest land for construction / setting up snow pillow at Sherathang under National Hydrological Project at Sherathang in Gangtok District of Sikkim by Water Resources Department as per the final decision by the Hon'ble Supreme Court of India.

Superintending Engineer (NHP)



Memo no. 433 H

Date: 3.10. 2023

#### **Undertaking**

This is to certify that the user agency is ready to pay the additional amount of Net Present Value (NPV)at present rate for the diversion of 0.0036 Ha of forest land for construction / setting up snow pillow at Sherathang under National Hydrological Project at Sherathang in Gangtok District of Sikkim by Water Resources Department as per the final decision by the Hon'ble Supreme Court of India.

Superintending Engineer (NHP)



Memo no. H35 I

Date: 3, 10, 2022

#### **Undertaking**

This is to certify that the user agency shall provide alternate fuel preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest area under forest diversion proposal for construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)



Memo no. H33J

Date: 3, 10, 2023

This is to certify 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 under forest diversion proposal for construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)





Memo no. H33K

Date: 5.10.2023

### Undertaking

This is to certify that the period of diversion under this approval shall be co terminus with the period of the project life under forest diversion proposal for construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)





Memo no. H33 L

Date: 3.10.2023

#### Undertaking

This is to certify that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna under forest diversion proposal for construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)



Memo no. 433 M

Date: 3. 10. 2023

#### Undertaking

This is to certify that layout plan of the proposal shall not be changed without the prior approval of the Central Government under forest diversion proposal for construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)



Memo no. H 33-N

ffice

Date: 3.10-2023

#### Undertaking

This is to certify that wherever possible and technically feasible the user Agency shall undertake appropriate afforestation or vegetation enrichment measures near the site related to the area diverted under this approval in consultation with the Forest Department at the project cost under forest diversion proposal for construction / setting up snow pillows at Sherethang under National hydrological Project at Sherathang in Gangtok District.

Superintending Engineer (NHP)

itending Engli Mational Hydrology Project Water Resources Department

Govt of Sikkim Sokeythang