



**GOVERNMENT OF SIKKIM**  
**FORESTS AND ENVIRONMENT DEPARTMENT**  
**FOREST SECRETARIAT, DEORALI, GANGTOK-737 102**  
*Email: fca.sikkim@gmail.com*

Ref. No. 1789/FCA/F&ED/...2027...

Dated: 9/5/2023

**COMPLIANCE REPORT**

To,

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

**Sub: Proposal for diversion of 0.092 Ha of Forest Land for construction of Food Godown at 13<sup>th</sup> Mile JN Road in Gangtok District of Sikkim by Food, Civil Supplies & Civil Supplies Department, Govt. of Sikkim - Compliance report reg.**

Ref. Letter No. 3 SK B 0033/2019/SHI/335 dated 10.12.2021.

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
<b>A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department.</b>		
1	The cost of compensatory afforestation on the CA land (0.184 ha) at the prevailing wage rate as per compensatory Afforestation scheme shall be deposited in advance with Forest Department by the project Authority. The CA will be maintained for 10 years.	The user agency has complied and deposited <b>Rs. 67,253.00</b> through <b>NEFT/RTGS Challan.</b>
2	The User Agency shall transfer online Net Present Value (NPV) for the <b>0.184 ha</b> 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. 5-2/2006-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.	The user agency has complied and deposited <b>Rs. 60,444.00</b> through <b>NEFT/RTGS Challan.</b>
3	All the funds received from the user agency under the project shall be transferred/deposited in CAMPA fund only through e-portal ( <a href="https://parivesh.nic.in">https://parivesh.nic.in</a> ).	Total of <b>Rs. 1,27,697.00</b> deposited through <b>NEFT/RTGS Challan for Ad-Hoc CAMPA by the user agency.</b>
4	The FRA certificate as per Ministry's guidelines shall be submitted before the issuance of final approval. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	Agreed.
5	Violation of any these conditions will amount to violation of Forest (Conservation) Act, 1980 and 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.	The user agency has submitted undertaking.
6	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in">https://parivesh.nic.in</a> ).	Complied.

*Brijendra Swaroop*  
 08/05/2023  
 Brijendra Swaroop, IAS  
 APCCF, Env. & S.C., SBF, SF, Plng, M&E,  
 Forests & Environment Department  
 Government of Sikkim



**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 prior to Stage-II approval;**

1	Legal status of forest land proposed for diversion shall remain unchanged.	The user agency has submitted undertaking.
2	Compensatory Afforestation shall be taken up the Department over 0.184 ha equivalent degraded forest land (Latui RF of Kyongnosla Range under East Territorial Forest Division of Sikkim) 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.	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 Department from the user agency. <b>The user agency shall furnish an undertaking to this effect.</b>	The user agency has submitted undertaking.
4	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.	Agreed.
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.	Agreed.
6	The user agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.	The user agency has submitted undertaking.
7	The layout plan of the proposal shall not be changed without prior approval of Central Government.	The user agency has submitted undertaking.
8	(a) The forest land shall not be used for any purpose other than that specified in the project proposal. (b) The period of diversion under this approval shall be co-terminus with the period of the project. (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.	The user agency has submitted undertaking.
9	Any other conditions 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	The user agency has submitted undertaking.

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,

*[Signature]*  
08/05/2023

(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:-

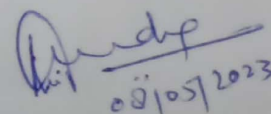
1. Secretary, F&ED, GoS
2. CF(T)
3. DFO (Territorial) Gangtok & follow up n. a.
4. File



## Annexure-II

Information to be furnished about transmission of funds to CAMPA

1	Name of the User Agency and the Project	Food, Civil Supplies & Civil Supplies Department, Govt. of Sikkim- construction of Food Godown at 13 <sup>th</sup> Mile JN Road 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	0.092 Ha
4	Extent of forest area approved for diversion	0.092 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. 1789/FCA/F&ED/2018/286 dated 04.02.2023
6	No. and date of Stage-I clearance (pl. attach copy)	No. 3 SK B 0033/2019/SHI/335 dated 10.12.2021
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. 67,253.00
	(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. 60,444.00
	(vii) Any other charges levied (pl. specify)	0
	(viii) TOTAL OF (i) to (viii)	Rs. 1,27,697.00
9	Date of collection of fund as in Sl. No. above, with:	19.05.2022
	(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.	19.05.2022
10	Details of remittance of funds as in Col. 8 above to CAMPA, indicating:	CA - Rs. 67,253.00 NPV - Rs. 60,444.00 Total - Rs. 1,27,697.00
	(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 19.05.2022 CA - Rs. 3,21,267.00 NPV - Rs. 1,10,573.00 Total - Rs. 4,31,840.00
11	Out of the remittance as indicated in Col. 10 above pl. give head-wise (CA/ACA/PCA/CAT etc.) funds towards principal funds collected, and interest thereon remitted to the Centre.	NEFT/RTGS CHALLAN for Ad hoc CAMPA on 19.05.2022 CA - Rs. 3,21,267.00 NPV - Rs. 1,10,573.00 Total - Rs. 4,31,840.00
12	Any other details.	Copy of Challan is enclosed for ready reference.



(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.



GOVERNMENT OF SIKKIM  
FOOD & CIVIL SUPPLIES DEPARTMENT  
SECRETARIAT ANNEXE-I, SONAM TSHERING MARG  
GANGTOK-SIKKIM-737101

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Azadi Ka  
Amrit Mahotsav

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Handwritten signature and initials.

No. 70 /F&CSD

Dated: 29/03/2023

To,

The APCCF-CUM-NODAL OFFICER (FCA),  
Forest & Environment, Department,  
Forest Secretariat, Deorali, Sikkim,  
Government of Sikkim,  
Email:ld-fca.sikkim@gmail.com

Handwritten signature and initials.

Handwritten signature and date: 29/03/2023

11 pages  
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Shope  
31/3/23

Sub: Regarding diversion of forest land 0.092 Ha for construction of Food Godown at 13<sup>th</sup> Mile JN Road in East Sikkim by Food & Civil Supplies Department, Government of Sikkim.

Sir,

- Reference to letter no.1789/FCA/F&ED/2018/286, Dated:11/03/2022 in which Government of India has accorded its Stage-I (In Principle) approval under section 2 of the Forest (Conservation) Act,1980 .Along with Demand Note-I for making necessary payment and compliance of stipulated conditions.
- Accordingly, compliances are made and submitted as follows:-

Sl.no	Conditions to be fulfilled	Compliances
<b>A. Conditions which need to be compiled prior to handing over of forest land by the Forest department.</b>		
1	The cost of Compensatory Afforestation on the CA land (0.184ha) at the prevailing wage rate as per Compensatory Afforestation scheme for <b>Rs.67,253/- (Rupees Sixty Seven Thousand Two Hundred and Fifty Three) only</b> shall be deposited in advance with Forest Department by the project Authority. The CA will be maintained for 10 years (Demand Note-I enclosed).	Total amount of <b>Rs.1,27,697/-</b> (Rupees One Lakhs Twenty Seven Thousand Six Hundred and Ninety Seven) only has been transferred as mentioned in Demand Note-I to Ad hoc CAMPA through E-Challan
2	The User Agency shall transfer online Net Present Value (NPV) for <b>Rs.60,444/- (Rupees Sixty Thousand Four Hundred and Forty Four) only</b> for the <b>0.184ha</b> 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).	vide NEFT/RTGS to Account No:1508619933702148 (UBI) on 11.05.2022.Out of the total amount <b>Rs.67,253/-</b> has been transferred towards the cost of Compensatory Afforestation and <b>Rs.60,444/-</b> towards Net Present Value (NPV).



3	All the funds received from the user agency under the project shall be transferred/deposited in CAMPA fund only through e-portal ( <a href="https://parivesh.nic.in">https://parivesh.nic.in</a> ).	Fund already transferred/deposited.
4	The FRA certificate as per Ministry's guidelines shall be submitted before the issuance of final approval. The complete compliance of the FRA, 2006 shall be ensured by the way of prescribed certificate from the concerned District Collector.	Agreed.
5	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and 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.	Agreed (Undertaking Enclosed).
6	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in">https://parivesh.nic.in</a> ).	Compliance report uploaded on e-portal.

**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 the form of Undertaking shall be submitted to Stage-II approval.**

1	Legal status of the forest land shall remain unchanged.	Agreed (Undertaking Enclosed).
2	Compensatory Afforestation shall be taken up the Department over 0.184 ha equivalent degraded forest land (Latui RF of Kyongnosla Range under East Territorial Forest Division of Sikkim) 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.	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 Department from the user agency. <b>The user agency shall furnish an undertaking to this effect.</b>	Agreed (Undertaking Enclosed).
4	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.	Agreed.
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.	Agreed.

6	The user agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.	Agreed (Undertaking Enclosed).
7	The layout plan of the proposal shall not be changed without prior approval of Central Government.	Agreed (Undertaking Enclosed).
8	The forest land shall not be used for any purpose other than that specified in the project proposal.	Agreed (Undertaking Enclosed).
(a)	The period of diversion under this approval shall be co-terminus with the period of the project.	Agreed (Undertaking Enclosed).
(b)	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.	Agreed (Undertaking Enclosed).
(c)		
9	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 & wildlife.	Agreed (Undertaking Enclosed).

3. It is therefore requested to take necessary action for onward submission of compliance report to the Ministry of Environment, Forest & Climate change, Government of India at the earliest for seeking final approval under Stage-II, please.

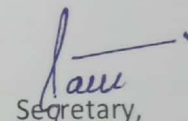
  
Secretary,

Food & Civil Supplies Department,  
Government of Sikkim.

Secretary  
Food & Civil Supplies Department  
Government of Sikkim

Undertaking.

This is to certify that the Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and 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. Under forest diversion proposal of 0.092 Ha of forest land for the construction of Food Godown at 13<sup>th</sup> Mile J.N Road in Gangtok District of Sikkim.

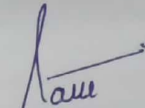
  
Secretary,

Food & Civil Supplies Department,  
Government of Sikkim.

Secretary  
Food & Civil Supplies Department  
Government of Sikkim

Undertaking.

This is to certify that the legal status of the forest land shall remain unchanged for the forest diversion proposal of 0.092 Ha of forest land for the construction of Food Godown at 13<sup>th</sup> Mile J.N Road in Gangtok District of Sikkim.

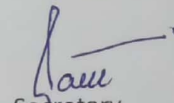
  
 Secretary,

Food & Civil Supplies Department,  
Government of Sikkim.

Secretary  
Food & Civil Supplies Department  
Government of Sikkim

Undertaking.

This is to certify that the 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 for the forest diversion proposal of 0.092 Ha of forest land for the construction of Food Godown at 13<sup>th</sup> Mile J.N Road in Gangtok District of Sikkim.

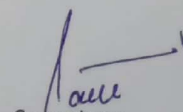
  
 Secretary,

Food & Civil Supplies Department,  
Government of Sikkim.

Secretary  
Food & Civil Supplies Department  
Government of Sikkim

Undertaking.

This is to certify that the labourers and staff engaged in construction activity will not damage the nearby forest flora and fauna.

  
 Secretary,

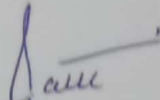
Food & Civil Supplies Department,  
Government of Sikkim.

Secretary  
Food & Civil Supplies Department  
Government of Sikkim



Undertaking.

This is to certify that the layout plan of the proposal shall not be changed without prior approval of Central Government.

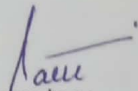
  
Secretary,

Food & Civil Supplies Department,  
Government of Sikkim.

Secretary  
Food & Civil Supplies Department  
Government of Sikkim

Undertaking.

This is to certify that the forest land shall not be used for any purpose other than that specified in the project proposal.

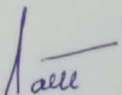
  
Secretary,

Food & Civil Supplies Department,  
Government of Sikkim.

Secretary  
Food & Civil Supplies Department  
Government of Sikkim

Undertaking.

This is to certify that period of diversion under this approval shall be co-terminus with the period of the project.

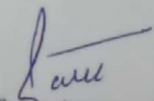
  
Secretary,

Food & Civil Supplies Department,  
Government of Sikkim.

Secretary  
Food & Civil Supplies Department  
Government of Sikkim

Undertaking.

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.

  
Secretary,

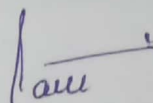
Food & Civil Supplies Department,  
Government of Sikkim.

Secretary  
Food & Civil Supplies Department  
Government of Sikkim

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Undertaking.

This is to certify that any other condition of Ministry of Environment, Forest & Climate Change which may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife will be accepted for the particular forest diversion proposal of 0.092 Ha of forest land for the construction of Food Godown at 13<sup>th</sup> Mile J.N Road in Gangtok District of Sikkim.

  
Secretary,

Food & Civil Supplies Department,  
Government of Sikkim.

Secretary  
Food & Civil Supplies Department  
Government of Sikkim