

GOVERNMENT OF SIKKIM FORESTS AND ENVIRONMENT DEPARTMENT FOREST SECRETARIAT, DEORALI, GANGTOK-737 102

Email:fca.sikkim@gmail.com

Ref. No. 1941/FCA/F&ED/2021...445

Dated:/2//2..../2024

COMPLIANCE REPORT

To,

The Deputy Director General of Forest,
Regional Office, Bhubaneswar,
Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980,
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 1.0428 Ha of forest land for construction of Rural Connectivity
Road from Narkhola to Upper Narkhola and Lower Narkhola in West Sikkim by Rural
Development Department, Government of Sikkim- Compliance report reg.

Ref. Letter No. FP/SK/ROAD-72/2021/FC/120 dated 31/03/2022 User Agency: Rural Development Department, Government of Sikkim.

Sir,

Pursuant to the Stage I (In Principle) approval accorded for the aforesaid project proposal by the MOEF&CC on 31/03/2022 vide letter no. SK/ROAD-72/2021/FC/120, 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
Α.	Condition which needs to be complied prior to handing over of forest land be Forest Department	
1	The cost of compensatory afforestation on the CA land (2ha) at the prevailing wage rates as per compensatory afforestation scheme shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	The user agency has complied and deposited Rs. 18,45,388.00 through NEFT/RTGS Challan. Vide UTR No. IBKLR62024040601540875, dated.06/04/2024.
2	The User Agency shall transfer online Net Present Value (NPV) for 1.0428 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-	1 119 100 & 1 425
3	FC(vol-I) dated 19/01/2022 in this regard. 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. 31,93,571.00 has been deposited through NEFT/RTGS Challan. Vide UTR No IBKLR62024040601540875, dated.06/04/2024.
MEN 4	The complete compliance of the FRA, 2006 shall be concerned by way of prescribed certificate from the concerned District Collector.	Complied.

5	The User Agency should submit the complete geo- reference map (including kml) of the forest land proposed for diversion prior to issuance of Stage-II approval.	
6	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in).	Agreed.
Use	Conditions which need to be strictly complied on field after Agency by the State Forest Department but the complianmitted prior to Stage-II approval:	
1	Legal status of forest land proposed for diversion shall remain unchanged.	undertaking. Enclosed at (Annexure-I)
2	Compensatory afforestation shall be taken up by the Forest Department over 2 ha degraded forest land (Location-Raniban Khasmal, Rungdung Tashiding Range under West Territorial Forest 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.	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 State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	undertaking. Enclosed at (Annexure-II).
4	The expenditure like felling, logging and transportation of project affected trees for Rs. 8,68,034.00 (Rupees Eight lakhs sixty-eight thousand and thirty-four) 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 strict supervision of the Forest Department and the cost of felling of trees shall be deposited by the User Agency with the Forest Department.	The user agency has complied and deposited total of Rs 8,68,034.00 in SISCO, Bank on 16/08/2022. Deposited vide cheque No. 280938 dated 01/07/2022.
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 raise strip plantation on both sides of the road as per IRC norms.	Agreed.
7	Speed regulating signage will be erected along the road at regular intervals in the Protected Area/Forest Areas.	Complied.
8	The lay out plan of the proposal shall not be changed without prior approval of Central Government.	The user agency has submitted undertaking. Enclosed at (Annexure-III).
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 of 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. 	The user agency has complied and submitted undertaking. Enclosed at (Annexure-IV, V, and VI).

10	 (a) The period of diversion under this approval shall be coterminus with the period of the project life. (b) The forest land shall not be used for any purpose other than that specified in the Project 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. 	The user agency has submitted undertaking. Enclosed at (Annexure—VII, VIII, IX).
11	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. Enclosed at (Annexure-X).
12	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 Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.	The user agency has submitted undertaking. Enclosed at (Annexure-XI).

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 Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

Xours sincerely,

(Dr. P. Senthil Kumar, IFS) APCCF-cum-Nodal Officer

Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980

Copy to for information: -

PCCF-cum-Secretary, F&ED, Government of Sikkim,
 PCE cum-Secretary, Rural Development Department, Government of Sikkim,

3. CF(T), F&ED, Government of Sikkim,

4. DFO (Territorial) Gyalshing,

5. File.

Annexure-II

Information to be furnished about transmission of funds to CAMPA

1	Name of the User Agency and the Project	Rural Development Department, Govt. of Sikkim-diversion of 1.0428 Ha of forest land for construction of Rural Connectivity Road from Narkhola to Upper Narkhola and Lower Narkhola in West Sikkim			
2	Location of forest area diverted (State/Distt/Taluk/Village) Pl. also give log/lat details. If available.	Gyalshing District of Sikkim.			
3	Extent of forest area applied for, for diversion	1.0428 ha			
4	Extent of forest area approved for diversion	1.0428 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.1941/FCA/F&ED/22-26 dated 28/04/2022			
6	No. and date of Stage-I clearance (pl. attach copy)	No. SK/ROAD-72/2021/FC/	/120 dated 31/03	/2022	
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. 18,45,388.00			
	(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. 13,48,183.00		4 4	
	(vii) Any other charges levied	0			
	(viii) TOTAL OF (i) to (viii)	Rs. 31,93,571.00			
9	Date of collection of fund as in SI. No. above, with:	06.04.2024.			
	(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.	RTGS to Union Bank of India, FCS Central Bangalore, 21 Mission 3rd Tower, Bangalore-560027. (Sikkim CAMPA Account no. 1508661122332)		al Bangalore, 21 Mission 3 rd Floor Jelitt Account no. 1508661122332009)	
	(iii) Date of remittance to Govt. account, indicating Account No., Bank and Branch details.	06.04.2024.			
10	Details of remittance of funds as in Col. 8 above to CAMPA, indicating:	CA- Rs. 18,45,388.00 (UTR No. IBKLR62024040601540875, dated. 06.04.2024.) NPV- Rs. 13,48,183.00 (UTR No. IBKLR62024040601540875, dated. 06.04.2024.) Total- Rs. 31,93,571.00			
	(i) Authority by whom remitted;	User Agency- Rural Development Department, Government of Sikkim.			
	(ii) Bank, Branch to which remitted;	RTGS to Union Bank of India, FCS Central Bangalore, 21 Mission 3 rd Floor Jelitt Tower, Bangalore-560027. (Sikkim CAMPA Account no. 1508661122332009) CA- Rs. 18,45,388.00 (UTR No. IBKLR62024040601540875, dated. 06.04.2024.) NPV- Rs. 13,48,183.00 (UTR No. IBKLR62024040601540875, dated. 06.04.2024.) Total- Rs. 31,93,571.00		al Bangalore, 21 Mission 3 rd Floor Jelitta	
	(iii) Mode of remittance (Draft/Pay Order/RTGS) with full particulars, including amount and date of remittance.				
11	Out of the remittance as indicated in	Levies	Interest	Remarks	
	Col. 10 above pl. give head-wise (CA/ACA/PCA/CAT etc.) funds towards principal funds collected, and interest thereon remitted to the	CA- 18,45,388.00	Nil	Directly remitted to Silving CARGA	
		NPV- 13,48,183.00	Nil	Directly remitted to Sikkim CAMPA, Union Bank of India, Bangalore.	
		Total- 31,93,571.00	INII	- January Dangaroro	
	and interest thereon remitted to the Centre.	Total- 31,93,571.00	Nil	1	

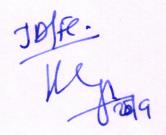
(Dr. P. Senthil Kumar, IFS) APCCF-cum-Nodal Officer Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980



GOVERNMENT OF SIKKIM

GAYZING SUB-DIVISION, WEST SIKKIM







Memo N.o:04/DE/GYZ/RDD

Dated: 25/06/2024

To

programme 10,

The APCCF-cum-Nodal Officer (FCA), Forest & Environment Department, Forest Secretariat, Deorali Govt. of Sikkim

Sub: Diversion of 1.0428 Ha of forest land for Construction of RCR from L077-Norkhola to upper Norkhola and lower Norkhola Request for approval under Stage-II Forest Clearance-Reg.

Reference letter No.: 1993/FCA/F&ED/2021/894. Dated:07/02/2023

1.Please refer the letter under reference vide which In-Principle approval under Stage -l of Forest Clearance was obtained along with Demand Note No. I &II for making necessary payment and compliance of stipulated conditions.

2. Accordingly, compliances are made and submitted as follows:

SI. No.	Conditions to be fulfilled	Compliances	
A Depar	A Conditions which need to be complied prior to handing over of forest land by the Forest Department.		
1.	The User Agency shall transfer [Rs. 18,45,388.00 (Rupees	Total of Rs. 31,93,571.00/- has	
	Eighteen lakh fourty five thousand three hundred and	been deposited vide cheque no.	
	Eighty eight only]the cost of raising and		
	maintaincompensatory Afforestation(100 trees plantation	547908 on 17/11/23. Out of the	
	and maintenance for 10 years) at the current wage rate in	total amount of Rs 18,45,388.00	
	consultation with the Forest Department in the account of	has been transferred towards the	
	CAMPA of the concern State through online portal.		

		(Demand note-I enclosed).	3.75
		(Demand note-1 enclosed).	compensatory Afforestation, Rs.
	2.	The User Agency shall transfer online, the Net Present	13,48,183.00 towards NET Present
		Value (NPV) [Rs. 13,48,183.00(Rupees Thirteen lakh	Value.
		fourty eight thousand one hundred eighty threel for the	
		1.0428 Ha forest area to be diverted under this proposal, as	
		ner the order of the Handha Samura Country of	
		per the order of the Hon'ble Supreme Court of India dated	
		28.03.2008, 24.04.2008 and 09.05.2008 in IA No. 566 in	
		WP (C) No. 202/1995 and the guidelines issued by the	
		Ministry vide letters No.5-2/2006-FC dated 03/10/2006, 5-	
		3/2007-FCdated 05/02/2009& Letter No. 5-3/2011-FC(Vol-	
		I) dated19/01/2022 in this regard(Demand note-I	
		enclosed).	
	3.	All the funds received from the user agency under the	
		project shall be transferred/deposited to CAMPA fund only	Fund already transferred/deposited
		through e-portal (https://parivesh.nic.in).	rand aneady transferred/deposited
	4.	The complete compliance of the FRA,2006 shall be ensured	
		by way of prescribed certificate from the concerned District	Agreed (Undertaking enclosed)
		Collector.	,
	5.	Violation of any of these conditions will amount to	
	-	violation of Forest (conservation) Act, 1980 and action	
		shall be taken as prescribed in Powe 1.21 of Charter 1. C.4	
		shall be taken as prescribed in Para 1.21 of Chapter 1 of the	Agreed (Undertaking enclosed)
		Handbook of Comprehensive guidelines of Forest	
		(Conservation) Act, 1980 issued by this Ministry's letter	
		No. 5-2/2017-FC dated 28.03.2019	
(6.	The compliance report shall be uploaded on e-portal	Compliance report uploaded on
		(https://parivesh.nic.in).	e-portal
D			
B.	IISA	Conditions which need to be strictly complied on field at	fter handing over of forest land to
subr	nitt	r agency by the Forest Department but the compliance ted prior to Stage-II approval.	in form of undertaking shall be
1.		Legal status of the forest land shall remain unchanged.	Agreed (Undertaking enclosed)
2.	1	The Forest Department shall plant 100 trees to maintain the	
		green cover at the project cost. Planting site for the purpose	
		shall be identified by the Forest Department preferably in	Agreed
		the vicinity of the project site. Indigenous trees species	Agreed
		should be preferred for such plantation.	



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,	terminus with the period of the project life.	
(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.	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 forests & wildlife.	Agreed (Undertaking enclosed)

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

Yours faithfully,

Designation rganization Name Chief Engineer Rural Development Department Government of Sikkins





Memo No:691/CE (S/W)/RDD

Dated: 23/08/24

Annexure UNDERTAKING FOR LEGAL STATUS OF FOREST LAND

it is certified that legal status of the forest land will not be changed and will remain the same as it is for Diversion of 1.0428 ha of forest land for construction of RCR from Narkhola to Upper Narkhola and Lower Narkhola in west Sikkim.

CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT





Memo No: 692/ CE (S/W)/RDD

Dated: 23/08/24

UNDERTAKING

Rural Development Department will pay additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Honble Supreme Court of India on receipt of the report from the Expert Committee.

CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT





Memo No: 694/CE (S/W)/RDD

Dated: 23/08/24

UNDERTAKING

This is to certify that layout plan of the proposal shall not be changed without the prior approval of central Government under forest Diversion of 1.0428 ha of forest land for construction of RCR from Narkhola to Upper Narkhola and Lower Narkhola in west Sikkim.

CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT





Memo No: 698/Cε (s/w)/PDD

Dated: 23/08/24

UNDERTAKING

This is to certify that no labor camp shall be established on the forest land under Forest Diversion of 1.0428 ha of forest land for construction of RCR from Narkhola to Upper Narkhola and Lower Narkhola in west Sikkim.

CHIEF ENGINEER (S/W)

RUBAL DEVELOPMENT DEPARTMENT





Memo No: 699 / CE (S/W) / RPD

Dated: 23/08/24

UNDERTAKING

This is to certify that the Rural Development Department Shall provide alternate fuel Preferably LPG to the Laboure's and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas under forest Diversion of 1.0428 ha of forest land for construction of RCR from Narkhola to Upper Narkhola and Lower Narkhola in west Sikkim.

CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT





Memo No: 695/CE(S/W)/RDD

Dated: 23/08/24

UNDERTAKING

This is to certify that all the natural streams and water bodies in surrounding area shall be protected under forest Diversion of 1.0428 ha of forest land for construction of RCR from Narkhola to Upper Narkhola and Lower Narkhola in west Sikkim.

CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT





Memo No: 701/22 (SIW)/RPD

Dated: 23/08/24

UNDERTAKING

This is to certify that the period of diversion under this approval shall be Co-terminus with the period of Project Life under forest Diversion of 1.0428 ha of forest land for construction of RCR from Narkhola to Upper Narkhola and Lower Narkhola in west Sikkim.

CHIEF ENGINEER (S/W)

RUBAL DEVELOPMENT DEPARTMENT





Memo No: 400 (CE (S/W) / RDD

Dated: 23/08/24

UNDERTAKING

This is to certify that the forest land shall not be used for any purpose other than that specified in project proposal, under forest Diversion of 1.0428 ha of forest land for construction of RCR from Narkhola to Upper Narkhola and Lower Narkhola in west Sikkim.

CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT





Memo No: 702/202 (S/W)/20D

Dated: 23/08/24

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 the central government under forest Diversion of 1.0428 ha of forest land for construction of RCR from Narkhola to Upper Narkhola and Lower Narkhola in west Sikkim.

CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT



Memo No: 703/c & (SIW)/RDD

Dated: 23/08/24

UNDERTAKING

Any other conditions that the ministry of the Environment, Forest and climate change may stipulate from time to time in the interest of conservation and development of Forest and Wildlife.

Rural Development Department is hereby undertaken to agree other conditions that the ministry of the Environment, Forest and Climate change may stipulate from time to time in the interest of Conservation and development of forest and wildlife.

CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT





Memo Na 836/RDD

Date: 04.07.2024,

CERTIFICATE OF UNDERTAKING

Name of the proposal: -

Construction of Rural Connectivity Road from Narkhola to

Upper Narkhola in Gyalshing District(diversion of 1.0428

hectare of forest land).

The Rural Development Department, Government of Sikkim, hereby gives undertaking that the Department shall ensure that there shall be no violation of the conditions prescribed in the Stage-I approval accorded for the above mentioned diversion proposal. Further, it accepts the violation of any of theconditions prescribed in the Stage-I approval shall amount to violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 which shall be dealt with in the manner prescribed in Para 1.21 of Chapter 1 of the Handbook of Comprehensive guidelines of Van (SanrakshanEvam Samvardhan)Adhiniyam, 1980.

Secretary

Rural Development Department Government of Sikkim Gangtok

SECRETARY
Rural Development Department
Government of Sikkim