



Ref. No. 1961/FCA/F&ED/...4068...

Dated: 22/09/2023

COMPLIANCE REPORT

To,

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

Sub: Proposal for diversion of 19.36 ha of forest land for construction of ITBP Phase-II road from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by CPWD - Compliance report reg.

Ref. Letter No. IRO/KOL/SK/ROAD/124229/2021/127 dated 10th April, 2023.

Sir,

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: -

SN	Conditions	Compliance
A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department.		
1	The cost of compensatory afforestation on the CA land (19.36 ha) as proposed by State Forest Department 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.	Complied and deposited Rs. 2,30,87,426.00 vide UTR No. SBINR52023060313087309 dated 02.06.2023
2	The State Government shall charge the Net Present Value (NPV) for the 19.36 ha forest area to be diverted under this proposal from the User Agency, 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 and 5-3/2011-FC(vol-I) dated 19/01/2022 in this regard.	Complied and deposited Rs. 2,07,04,939.00 vide UTR No. SBINR52023060313087309 dated 02.06.2023
3	The proportioned cost of the proposal to the approved Comprehensive Biodiversity Conservation Plan should be deposited by the user agency to be implemented by the Forest Department.	Complied and deposited: a) Rs. 1,96,00,000.00 as Biodiversity Conservation Plan & b) Rs. 4,00,00,000.00 for strengthening rescue and rehabilitation of impacted floral species due to road construction activities vide UTR No. SBINR52023060313087309 dated 02.06.2023

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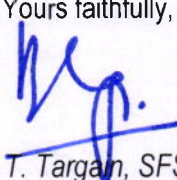
4	All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (https://parivesh.nic.in).	Fund already deposited
5	The complete compliance of the FRA,2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	i). The FRA Certificate has been obtained from DC, Mangan & ii). NOC from Lachen Dzumsa submitted.
6	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.	KML file has already uploaded on e-Green watch portal.
7	Violation of any of these conditions will amount to violation of Forest (conservation) Act, 1980 and action shall be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of Comprehensive guidelines of Forest (Conservation) Act, 1980 issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.	User agency has agreed and undertaking submitted.
8	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in).	Compliance report uploaded as required.
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 the forest land proposed for diversion shall remain unchanged.	User agency has agreed and undertaking submitted.
2	Compensatory Afforestation shall be taken up by the Forest Department over 19.36 ha degraded forest land (Location-Gomang RF and Samdong RF under Lachen (T) Range, under Mangan 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	Complied & deposited Rs., 2,30,87,426.00 vide UTR No. SBINR52023060313087309, dated 02.06.2023
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.	User agency has agreed and undertaking submitted.
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 supervision of the State Forest Department and the cost of felling of trees shall be deposited with the Forest Department.	Complied and deposited Rs. 1,45,476.00 vide UTR No. SBINR52023060313087308 dated 02.06.2023
5	Construction and implementation of environmental / ecological activities of the new road should be done under strict supervision of the concerned officials of the Forest Department, Sikkim.	Agreed & Undertaking submitted.
6	The State Forest Department of Sikkim will have free access over the proposed road for protection and management of forests and wildlife in the areas adjacent to this road. The user Agency shall furnish an undertaking in this regard.	Agreed & Undertaking submitted.
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	Complied and deposited Rs. 23,63,324.00 vide PFMS Transaction ID No. S052303454187, (UTR No. SBINR52023060313087308) dated 02.06.2023

8	The User Agency shall raise strip plantation on both sides of the road as per the IRC norms	Complied and deposited Rs. Rs. 48,44,961.00 vide PFMS Transaction ID No. S052303454187, (UTR No. SBINR52023060313087308) dated 02.06.2023
9	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Agreed and undertaking submitted
10	(a) All the natural streams and water bodies (including Kupup Lake) in surrounding area shall be protected.	User agency has agreed and undertaking submitted.
	(b) The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.	User agency has agreed and undertaking submitted.
	(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.	User agency has agreed and undertaking submitted.
	(d) No labour camp shall be established on the forest land.	User agency has agreed and undertaking submitted.
	(e) 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.	User agency has agreed and undertaking submitted.
	(f) During and after construction period of the project, the project authority shall continue to assist the State Forest Department for conservation and development of natural resources of the State.	User agency has agreed and undertaking submitted.
11	(a) The forest land shall not be used for any purpose other than that specified in the project proposal.	User agency has agreed and undertaking submitted.
	(b) The period of diversion under this approval shall be co-terminus with the period of the project life.	User agency has agreed and undertaking submitted.
	(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.	User agency has agreed and undertaking submitted.
12	Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of afforestation, conservation, protection and development of forests & wildlife.	User agency has agreed and undertaking submitted.

Therefore, in view of fulfillment of above conditions by the User Agency, the undersigned is directed to request you to accord Final Approval under Section 2 (ii) of the Forest (Conservation) Act, 1980, please.

This is issued with the approval of the competent authorities.

Yours faithfully,


(Blen T. Targain, SFS),
Additional Director (FCA),
Sh. Blen Tshering Targain, SFS
Additional Director
(Forest Conservation Act, 1980)

Copy for information to: -

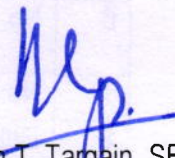
1. Secretary, Forest & Environment Department, Govt. of Sikkim.
2. CF(T) Gangtok
3. DFO (Territorial) Mangan: for follow up.
4. File

Annexure-II

Information to be furnished about transmission of funds to CAMPA

1	Name of the User Agency and the Project	CPWD; proposal for diversion of 19.36 ha of forest land for construction of ITBP Phase-II road from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim.
2	Location of forest area diverted (State/Distt/Taluk/Village) Pl. also give log/lat details. If available.	Mangan District of Sikkim
3	Extent of forest area applied for diversion	19.36
4	Extent of forest area approved for diversion	19.36
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. 1961/FCA/F&ED/874 dated 24.2.2022
6	No. and date of Stage-I clearance (pl. attach copy)	No. IRO/KOL/SK/ROAD/124229/2021/127 dated 10 th April, 2023
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. 2,30,87,426.00
	(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. 2,07,04,939.00
	(vii) Any other charges levied (pl. specify)	Rs. 1,96,00,000.00 (BC Plan)
	(viii) TOTAL OF (i) to (viii)	Rs. 6,33,92,365.00
9	Date of collection of fund as in Sl. No. above, with:	02.06.2023
	(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 Complex 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.	02.06.2023
10	Details of remittance of funds as in Col. 8 above to CAMPA, indicating:	CA - Rs. 2,30,87,426.00 NPV - Rs. 2,07,04,939.00 BC Plan - Rs. 1,96,00,000.00 Total - Rs. 6,33,92,365.00
	(i) Authority by whom remitted;	APCCF-cum-Nodal Officer (FCA)
	(ii) Bank, Branch to which remitted;	Corporation Bank, Lodhi Complex 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 CAMPA on 27.06.2023 CA - Rs. 2,30,87,426.00 NPV - Rs. 2,07,04,939.00 BC Plan - Rs. 1,96,00,000.00 Total - Rs. 6,33,92,365.00
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 CAMPA on 02.06.2023 CA - Rs. 2,30,87,426.00 NPV - Rs. 2,07,04,939.00 BC Plan - Rs. 1,96,00,000.00 Total - Rs. 6,33,92,365.00
12	Any other details.	Acknowledgement is enclosed for reference.


(Blen T. Targain, SFS),
Additional Director (FCA).

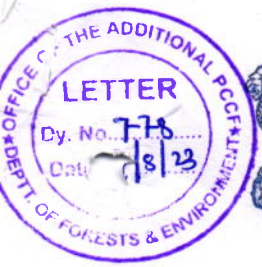
Annexure-II

Information to be furnished about transmission of funds to CAMPA

1	Name of the User Agency and the Project	CPWD; proposal for diversion of 19.36 ha of forest land for construction of ITBP Phase-II road from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim.
2	Location of forest area diverted (State/Dist/Taluk/Village) Pl. also give log/lat details. If available.	Mangan District of Sikkim
3	Extent of forest area applied for diversion	19.36
4	Extent of forest area approved for diversion	19.36
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. 1961/FCA/F&ED/874 dated 24.2.2022
6	No. and date of Stage-I clearance (pl. attach copy)	No. IRO/KOL/SK/ROAD/124229/2021/127 dated 10 th April, 2023
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. 2,30,87,426.00
	(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. 2,07,04,939.00
	(vii) Any other charges levied (pl. specify)	Rs. 1,96,00,000.00 (BC Plan)
	(viii) TOTAL OF (i) to (viii)	Rs. 6,33,92,365.00
9	Date of collection of fund as in Sl. No. above, with:	02.06.2023
	(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 Complex 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.	02.06.2023
10	Details of remittance of funds as in Col. 8 above to CAMPA, indicating:	CA - Rs. 2,30,87,426.00 NPV - Rs. 2,07,04,939.00 BC Plan - Rs. 1,96,00,000.00 Total - Rs. 6,33,92,365.00
	(i) Authority by whom remitted;	APCCF-cum-Nodal Officer (FCA)
	(ii) Bank, Branch to which remitted;	Corporation Bank, Lodhi Complex 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 CAMrA on 27.06.2023 CA - Rs. 2,30,87,426.00 NPV - Rs. 2,07,04,939.00 <u>BC Plan - Rs. 1,96,00,000.00</u> Total - Rs. 6,33,92,365.00
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 CAMPA on 02.06.2023 CA - Rs. 2,30,87,426.00 NPV - Rs. 2,07,04,939.00 <u>BC Plan - Rs. 1,96,00,000.00</u> Total - Rs. 6,33,92,365.00
12	Any other details.	Acknowledgement is enclosed for reference.

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



भारत सरकार
केन्द्रीय लोक निर्माण विभाग
कार्यालय कार्यपालक अभियंता
सीमा सड़क परियोजना मंडल-I
एस० टी० लामा बिल्डिंग, तीसरी मंजिल
चुंगथांग, उत्तर सिक्किम - 737120
E-MAIL: eeccdsikkim@gmail.com, chueeccd1.cpwd@nic.in

BY POST/MAIL

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No. 23(7)/Forest/EE/BRPD-I/NS/2023/ 252

Date: 08/08/2023

To,

The APCCF-cum-Nodal Officer,
Forest Conservation Act (FCA) Section,
Forest Environment and Wildlife Management Department,
Forest Secretariat, Govt. of Sikkim,
Deorali, Gangtok, East Sikkim - 737102.
E-mail: fca.sikkim@gmail.com

Subject: Proposal for diversion of 19.36 Ha of Forest Land for Construction of ITBP Phase-II road from Muguthang to 20R Link Point under Lahen (T) Range in Mangan District of Sikkim by CPWD.- **Regarding Compliance of Stage-I (IPA) & issue of Stage-II Final Approval under Forest Conservation Act 1980.**

Ref.: (i) APCCF, Gangtok office Letter No. 1961/FCA/F&ED/8 Dt.03.05.2023.
(ii) IG Forest letter No. IRO/KOL/SK/ROAD/124229/2021/127 Dt.10.04.2023

Sir,

- (i) Please refer the aforesaid letter vide which Stage-I In-principle approval under section 2 of the Forest (Conservation) Act, 1980 for the above diversion was issued, along with Demand Note-I & II for making necessary payment and compliance of stipulated conditions was asked.
- (ii) Accordingly, compliances are made and submitted as follows.

Sl. No.	Conditions to be fulfilled	Compliances
A.	Conditions which need to be complied prior to handing over of forest land by the Forest Department	
1.	The User Agency shall transfer online Rs. 2,30,87,426/- (Rupees Two Crores Thirty Lakh Eighty Seven Thousand Four Hundred Twenty Six only) on the Compensatory Afforestation land (19.36 Ha), at the prevailing wage rates as per Compensatory Afforestation scheme to the Forest Department. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years. (Demand Note-I enclosed)	The cost of Rs. 2,30,87,426/- (Two Crores Thirty Lakh Eighty Seven Thousand Four Hundred Twenty Six only) for Compensatory Afforestation land (19.36 Ha), was transferred in the bank A/C of SIKKIM CAMPA, through online system vide PFMS Transaction ID No. S052303877015 dated 02.06.2023 (UTR NO. SBINR52023060313087309), Photocopy of the transaction is annexed as Annexure-A.
2.	The User Agency shall transfer online Rs. 2,07,04,939/- (Rupees Two Crores Seven Lakh Four Thousand Nine Hundred Thirty Nine only) for Net Present Value (NPV) payable for the 19.36 Ha forest area to be diverted	Rs. 2,07,04,939/- (Two Crores Seven Lakh Four Thousand Nine Hundred Thirty Nine only) for Net Present Value (NPV) payable for the 19.36 Ha forest area was also transferred in the bank A/C of SIKKIM CAMPA, through online system vide

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	as 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-FC dated 05/02/2009 & 5-3/2011-FC (Vol-I) dated 19/01/2022 in this regard (Demand Note-I enclosed)	PFMS Transaction ID No. S052303877015 dated 02.06.2023 (UTR NO. SBINR52023060313087309), Photocopy of the transaction is annexed as Annexure-A .
3	The proportioned cost of the proposal to the approved Comprehensive Biodiversity Conservation Plan should be deposited by the user agency to be implemented by the Forest Department as under.	Agreed
a)	Rs. 1,96,00,000/- (Rupees One Crores Ninety Six Lakh only) as Biodiversity Conservation Plan should be deposited in CAMPA account (Demand Note-I enclosed)	Rs. 1,96,00,000/- (One Crores Ninety Six Lakh only) for Biodiversity Conservation Plan was transferred in the bank A/C of SIKKIM CAMPA, through online system vide PFMS Transaction ID No. S052303877015 dated 02.06.2023. (UTR NO. SBINR52023060313087309), Photocopy of the transaction is annexed as Annexure-A .
b)	Rs. 4,00,00,000/- (Rupees Four Crores only) as cost of strengthening, rescue and rehabilitation of impacted floral species due to road construction activities should be deposited in cutting and felling account of the State Government (Demand Note-II enclosed)	Rs. 4,00,00,000/- (Four Crores only) for strengthening , rescue and rehabilitation of impacted floral species due to construction activities was deposited to the bank A/C of Secretary, Forests and Environment Department, Govt. of Sikkim, Gangtok through online system vide PFMS Transaction ID No. S052303454187 dated 02.06.2023. (UTR NO. SBINR52023060313087308), Photocopy of the transaction is annexed as Annexure-A .
4.	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).	Fund already transferred/deposited.
5.	The complete compliance of the FRA, 2006 shall be ensured by way of 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 (copy attached in Annexure-B , Page -1 to 3).
6.	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	Agreed



	compliance report for seeking Stage-II approval.	
7.	Violation of any of these conditions will amount to violation of Forest (conservation) Act, 1980 and action shall be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of forest (Conservation) Act, 1980 issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.	Not Applicable
8.	The compliance report has been uploaded on e-portal (https://parivesh.nic.in).	Compliance report uploaded on e-portal (https://parivesh.nic.in).
B.	Conditions which needs to be strictly complied on field after handing over of forest land to the user agency by the Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval.	
1.	Legal status of the forest land proposed for diversion shall remained unchanged.	Agreed
2.	Compensatory Afforestation shall be taken up by the Forest Department over 19.36 Ha degraded forest land (Location-Gomang RF and Samdong RF under Lachen (T) Range, under Mangan 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 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 undertaking in this regard is annexed as Annexure-C .	Agreed & Undertaking Enclosed in Annexure-C
4.	The expenditure like CUTTING, felling, logging and transportation of project affected trees Rs. 1,45,476/- (Rupees One Lakh Forty Five Thousand Four Hundred Seventy Six only) should be deposited in the cutting & account of the State Government for utilization immediately following the diversion of the forest land. User agency shall restrict the felling of trees	Rs. 1,45,476/- (Rupees One Lakh Forty Five Thousand Four Hundred Seventy Six only) was transferred in the bank A/C of Secretary, Forests and Environment Department, Govt. of Sikkim, Gangtok through online system vide PFMS Transaction ID No. S052303454187 dated 02.06.2023. (UTR NO. SBINR52023060313087308), for expenditure like CUTTING, felling,


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	to minimum number which are unavoidable in the diverted forest land and the trees shall be deposited by the User agency with State Forest Department (Demand note-II enclosed)	logging and transportation of project affected trees. Photocopy of the transaction is annexed as Annexure-A .
5.	Construction and implementation of environmental/ecological activities of the new road should be done under strict supervision of the concerned officials of the Forest Department, Sikkim.	Agreed
6.	The State Forest Department of Sikkim will have free access over the proposed road for protection and management of forest and wildlife in the areas adjacent to this road. The user agency shall furnish an undertaking in this regard.	Agreed & Undertaking Enclosed in Annexure-D
7.	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the direction of the concerned Divisional Forest Officer or, if the same is to be implemented by the Forest & Environment Department the expenditure for demarcation of boundary of the diverted forest land Rs. 23,63,324.00 (Rupees Twenty Three Lakh Sixty Three Thousand Three Hundred Twenty Four only) shall be transferred into the cutting & felling account of the State Government (Demand note-II enclosed)	Rs. 23,63,324.00 (Rupees Twenty Three Lakh Sixty Three Thousand Three Hundred Twenty Four only) was transferred in the bank A/C of Secretary, Forests and Environment Department, Govt. of Sikkim, Gangtok through online system vide PFMS Transaction ID No. S052303454187 dated 02.06.2023. (UTR NO. SBINR52023060313087308), for the expenditure for demarcation of boundary of the diverted forest land. Photocopy of the transaction is annexed as Annexure-A .
8.	The user agency shall transfer Rs. 48,44,961/- (Rupees Forty Eight Lakh Forty Four Thousand Nine Hundred Sixty One only) in advance with department to raise strip (Avenue) plantation on both sides of the road as per the IRC norms shall be deposited into the cutting & felling account of the State Government (Demand note-II enclosed)	Rs. 48,44,961/- (Rupees Forty Eight Lakh Forty Four Thousand Nine Hundred Sixty One only) was transferred in the bank A/C of Secretary, Forests and Environment Department, Govt. of Sikkim, Gangtok through online system vide PFMS Transaction ID No. S052303454187 dated 02.06.2023. (UTR NO. SBINR52023060313087308), for the cost to raise strip (Avenue) plantation of both sides of the road as per the IRC norms. Photocopy of the transaction is annexed as Annexure-A .
9.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Agreed

Agreed
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10. (a)	The user agency assures that all the natural streams and water bodies in surrounding area shall be protected.	Agreed
(b)	The user agency shall ensure that the labours and staff engaged in construction activity will not damage the nearby forest flora and fauna.	Agreed
(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.	Agreed and It is also assures that muck obtained from the site will be disposed off at designated muck disposal point which is already submitted in forest clearance of the proposal.
(d)	No labour camp shall be established on the Forest Land.	Agreed
(e)	The user agency shall provide alternate fuels preferably LPG shall be provided to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.	Agreed
(f)	During and after the construction period of the project, the project authority shall continue to assist the State Forest Department for conservation and development of natural resources of the State.	Agreed
11.(a)	The forest land shall not be used for any purpose other than that specified in the Project proposal.	Agreed
(b)	The period of diversion under this approval shall be co-terminus with the period of the project life.	Agreed
(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
12	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

- (iii) Furthermore the working permission for the above diversion was granted from APCC-cum-Nodal Officer, F&ED, Govt. of Sikkim vide letter no. 1961/FCA/F&ED/3033 Dt. 12.07.2023 for the tree cutting and commencement of work in the proposed forest land **FOR ONE YEAR.**


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- (110)
- (iv) Therefore, in view of above and also to avoid any hindrances in future you are requested to take necessary action for onward submission of compliance report to Ministry of Environment, Forest & Climate Change, Govt. of India for seeking Stage-II, Final Approval under Forest (Conservation) Act, 1980 for the above road as nothing is pending from the user agency on priority please.

Thanking you.


98/8/23
(Shiv Charan Lal Meena)
Executive Engineer

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim



भारत सरकार
केन्द्रीय लोक निर्माण विभाग
कार्यालय कार्यपालक अभियंता
सीमा सड़क परियोजना मंडल-I
एस० टी० लामा बिल्डिंग, तीसरी मंजिल
चुंगथांग, उत्तर सिक्किम- 737120

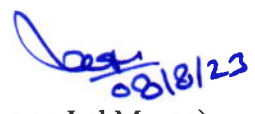
Government of India
Central Public Works Department
O/o Executive Engineer
Border Road Project Division-I
S. T. Lama Building, 3rd Floor
Chungthang, North Sikkim - 737120.

E-MAIL: eeccdsikkim@gmail.com, chueeccd1.cpwd@nic.in



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 19.36 Ha. of forest land for Construction of road from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force if so determined, as per final decision of the same by Hon'ble Supreme Court of India.


(Shiv Charan Lal Meena)
Executive Engineer
Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim



भारत सरकार
केन्द्रीय लोक निर्माण विभाग
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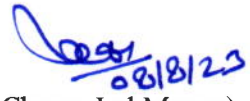
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UNDERTAKING

This is to certify that the State Forest Department of Sikkim will have free access over the proposed road for protection and management of forest and wildlife in the areas adjacent to this road from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.


(Shiv Charan Lal Meena)
Executive Engineer

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim



भारत सरकार Government of India
केन्द्रीय लोक निर्माण विभाग Central Public Works Department
कार्यालय कार्यपालक अभियंता O/o Executive Engineer
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E-MAIL: eeccdsikkim@gmail.com, chueeccd1.cpwd@nic.in



UNDERTAKING

This is to certify that boundary of the diverted forest land shall be suitably demarcated on ground at project cost, as per the directions of the concerned Divisional Forest Officer under forest diversion proposal from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.


08/01/23

(Shiv Charan Lal Meena)
Executive Engineer

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim



भारत सरकार
केन्द्रीय लोक निर्माण विभाग
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एस० टी०लामा बिल्डिंग, तीसरी मंजिल
चुंगथांग, उत्तर सिक्किम- 737120

Government of India
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O/o Executive Engineer
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S. T. Lama Building, 3rd Floor
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E-MAIL: eeccdsikkim@gmail.com, chueeccd1.cpwd@nic.in



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 from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.


(Shiv Charan Lal Meena)
Executive Engineer

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim




भारत सरकार Government of India
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 E-MAIL: eeccdsikkim@gmail.com, chueeccd1.cpwd@nic.in



UNDERTAKING

This is to certify that all the natural streams and water bodies in surrounding area shall be protected under forest diversion proposal from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.


 (Shiv Charan Lal Meena)
 Executive Engineer

Shiv Charan Lal Meena
 Executive Engineer
 BRPD-I, CPWD, Chungthang
 North Sikkim



भारत सरकार Government of India
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 E-MAIL: eeccdsikkim@gmail.com, chueeccd1.cpwd@nic.in



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 from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.

(Shiv Charan Lal Meena)
 Executive Engineer

Shiv Charan Lal Meena
 Executive Engineer
 BRPD-I, CPWD, Chungthang
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E-MAIL: eeccdsikkim@gmail.com, chueeccd1.cpwd@nic.in



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 user agency under forest diversion proposal from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.

(Shiv Charan Lal Meena)
Executive Engineer

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim



भारत सरकार
केन्द्रीय लोक निर्माण विभाग
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एस० टी०लामा बिल्डिंग, तीसरी मंजिल
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UNDERTAKING

This is to certify that No labour camp shall be established on the forest land under proposed road from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.

(Shiv Charan Lal Meena)
Executive Engineer

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim




भारत सरकार Government of India
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E-MAIL: eeccdsikkim@gmail.com, chueeccd1.cpwd@nic.in



UNDERTAKING

This is to certify that 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 areas under forest diversion proposal from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.


(Shiv Charan Lal Meena)
Executive Engineer

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim



भारत सरकार Government of India
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UNDERTAKING

This is to certify that during and after the construction period of the project, the project authority shall continue to assist the State Forest Department for conservation and development of natural resources of the state under proposed diversion from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.

(Shiv Charan Lal Meena)
 Executive Engineer

Shiv Charan Lal Meena
 Executive Engineer
 BRPD-I, CPWD, Chungthang
 North Sikkim



भारत सरकार Government of India
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E-MAIL: eeccdsikkim@gmail.com, chueeccd1.cpwd@nic.in



UNDERTAKING

This is to certify that the forest land shall not be used for any purpose other than that specified in the project proposal under forest diversion proposal from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.

(Shiv Charan Lal Meena)
Executive Engineer

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim



भारत सरकार
केन्द्रीय लोक निर्माण विभाग
कार्यालय कार्यपालक अभियंता
सीमा सड़क परियोजना मंडल-I
एस. टी. लामा बिल्डिंग, तीसरी मंजिल
चुंगथांग, उत्तर सिक्किम- 737120

Government of India
Central Public Works Department
O/o Executive Engineer
Border Road Project Division-I
S. T. Lama Building, 3rd Floor
Chungthang, North Sikkim - 737120.

E-MAIL: eeccdsikkim@gmail.com, chueeccd1.cpwd@nlc.in



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 proposal from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.

(Shiv Charan Lal Meena)
Executive Engineer

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim



भारत सरकार Government of India
 केन्द्रीय लोक निर्माण विभाग Central Public Works Department
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 चुंगथांग, उत्तर सिक्किम- 737120 Chungthang, North Sikkim - 737120.

E-MAIL: eeccdsikkim@gmail.com, chueeccd1.cpwd@nic.in



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 under forest diversion proposal from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.


(Shiv Charan Lal Meena)
 Executive Engineer

Shiv Charan Lal Meena
 Executive Engineer
 BRPD-I, CPWD, Chungthang
 North Sikkim

Annexure - A

Ministry :	030 - Ministry of Housing and Urban Affairs	Grant:	- All -
PAO:	043460 - PAO(East Zone) CPWD,Kolkata	DDO:	103256 - Executive Engineer, Chungthang Central Central Division,
Period:	01-06-2023 till 30-06-2023	Figures In:	Actuals
External Source:	-All-	IEC Code	

Sr. No.	Sanction No.	Bill No.	Sanction Amount	Beneficiary Account No.	Beneficiary Amount	Beneficiary Name	IFSC Code	Accredited Bank	PFMS Transaction Id	PAO/CDDO DSC date & Time Stamp	Scroll Date	UTR No. (Bank Transaction Id)
9	FOREST/SIKKIM/MUGUTHANG-	CP00000036	63,392,365.00	1508661124229931	63,392,365.00	SIKKIM CAMPA	UBIN0996335	STATE BANK OF INDIA	S052303877015	02-06-2023 20:06:34	03-06-2023	SBINR52023060313087309
10	FOREST/SIKKIM/KERANG-OP	CP00000037	16,863,242.00	150866136660264	16,863,242.00	SIKKIM CAMPA 7.838Ha	UBIN0996335	STATE BANK OF INDIA	S052303098657	02-06-2023 20:06:34	03-06-2023	SBINR52023060313087302
11	FOREST/SIKKIM/KERANG-	CP00000039	1,004,181.00	100134029100112	1,004,181.00	ADDL CHIEF SECRETARY	IBKL0108SIC	STATE BANK OF INDIA	S052303161212	02-06-2023 20:06:34	03-06-2023	SBINR52023060313087301
12	FOREST/SIKKIM/MUGUHANG-	CP00000038	47,353,761.00	100134029100112	47,353,761.00	ADDL CHIEF SECRETARY	IBKL0108SIC	STATE BANK OF INDIA	S052303454187	02-06-2023 20:06:34	03-06-2023	SBINR52023060313087308


Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim

Annexure - I
FORM - I
(for linear projects)
Government of Sikkim
Office of the District Collector, North District, Mangan

TO WHOMSOEVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter no.11-9/98-FC (pt.) dated 3/8/2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Schedules Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ('FRA', for short) on the forestland proposed to be diverted for non-forest purposes read with MoEF's letter dated 5/2/2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that 19.36ha of forest land proposed to be diverted in favour of CPWD, (name of user agency) for diversion 19.36ha of forest land for construction of ITBP Phase-II road from Muguthang to 20R Link Point under Lachen Territorial Range in North Sikkim by CPWD, (purpose for diversion of forest land) in North district falls within jurisdiction of Muguthang village (s) in Lachen tehsils.

It is further certified that:-

- The complete process for identification and settlement of rights under the FRA has been carried out for the entire 19.36hectare of forest areas proposed for diversion. A copy of records of all consultations and meetings of the Forest Rights Committee (s), Gram Sabha are enclosed as Annexure I (a)
- The diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and the Gram Sabha given their consent to it.
- The proposal does not involve recognised rights of Primitive Tribal Groups and Pre-Agricultural communities.

Encl:- As above.


Signature

(Full name and official seal of the District Collector)
District Collector
North District
Mangan



OFFICE OF THE PIPON
LACHEN DZUMSA, G.P.U. No. 21
GOVERNMENT OF SIKKIM
NORTH SIKKIM

Annexure - B

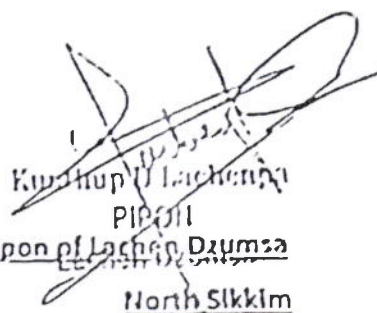
(pg - 2)

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NO OBJECTION CERTIFICATE

This is to state that CPWD is going to start the construction of MHP Road from Muguthang to 20ft link point Border Road under Lachen (I) Range in North Sikkim.

Hence, we the Dumsa and Piplon of Lachen have no any objection for CPWD for construction of road at above mentioned area.


Kuntup (I) Lachenpa
PIPON
Piplon of Lachen Dumsa
North Sikkim

Dated: 20.10.2021

JOINT CERTIFICATE FOR NON-AVAILABILITY OF NON-FOREST LAND FOR COMPENSATORY
AFFORESTATION.

This is to certify that non-forest lands are not available under the Territorial jurisdiction of North District/Forest Division for Compensatory Afforestation to be raised in lieu of Forest land to be diverted for the non-forestry purposes of User Agency, mentioned below:-

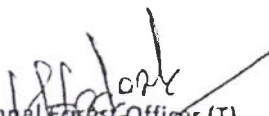
(a). Name of Proposal with location:- Diversion of forest land for construction of ITBP Phase-II Road from Muguthang to 20R Link Point under Lachen Territorial Range in North Sikkim by CPWD, Government of India.


(b). Name of User Agency:- Central Public Works Department, Government of India.

(c). Area of Forest land to be diverted :- 19.36ha.

The geographical area of North District of Sikkim is 422600 hectares, while the Forest Land has been recorded to the extent of 394020 hectares only, which is found to be more than 50% of the geographical area of the district as per the FSI (2011) Report is 131700 hectares.

The Joint Certificate is granted as per the Rules & Guidelines Para 3.2 (v) of Forest (Conservation) Rules 2003- Guidelines & Clarification and recent Guidelines received from the Ministry of Environment and Forests, Government of India in connection with the diversion of Forest Land for non-forestry purposes under the Forest (Conservation) Act, 1980- Non availability of forest land for creation of Compensatory Afforestation vide letter No: 11-423/2011-FC dated the 13th February 2012.

Signature & 
Seal:- Divisional Forest Officer (T)
Divisional Forest Officer
North Territorial Division
Forest & Environment Department

Signature & 
Seal:- District Collector
District Collector
North District
Mangan



भारत सरकार
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चुंगथांग, उत्तर सिक्किम- 737120

Government of India
Central Public Works Department
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Border Road Project Division-I
S. T. Lama Building, 3rd Floor
Chungthang, North Sikkim - 737120.

E-MAIL: eeccdsikkim@gmail.com chueeccd1.cpwd@nic.in



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 19.36 Ha. of forest land for Construction of road from Muguthang to 20R Link Point under Lachen (T) Range in Mangen District of Sikkim by Indo Tibetan Border Police Force if so determined, as per final decision of the same by Hon'ble Supreme Court of India.

(Shiv Charan Lal Meena)
Executive Engineer
BRPD-I, CPWD, Chungthang

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim



भारत सरकार
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E-MAIL: eeccdsikkim@gmail.com chueeccd1.cpwd@nic.in



UNDERTAKING

This is to certify that the State Forest Department of Sikkim will have free access over the proposed road for protection and management of forest and wildlife in the areas adjacent to this road from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.

(Shiv Charan Lal Meena)
Executive Engineer
BRPD-I, CPWD, Chungthang

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim

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भारत सरकार Government of India
केन्द्रीय लोक निर्माण विभाग Central Public Works Department
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E-MAIL: eeccdsikkim@gmail.com chueeccd1.cpwd@nic.in



UNDERTAKING

This is to certify that 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 will be followed under the diversion of road from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.

(Shiv Charan Lal Meena)
Executive Engineer
BRPD-I, CPWD, Chungthang

Shiv Charan Lal Meena
Executive Engineer
BRPD-I, CPWD, Chungthang
North Sikkim



भारत सरकार Government of India
 केन्द्रीय लोक निर्माण विभाग Central Public Works Department
 कार्यालय कार्यपालक अभियंता O/o Executive Engineer
 सीमा सड़क परियोजना मंडल-I Border Road Project Division-I
 एस० टी० लामा बिल्डिंग, तीसरी मंजिल S. T. Lama Building, 3rd Floor
 चुंगथांग, उत्तर सिक्किम- 737120 Chungthang, North Sikkim - 737120.
 E-MAIL: eeccdsikkim@gmail.com chueeccd1.cpwd@nic.in



UNDERTAKING

This is to certify that Construction and implementation of environmental/ecological activities of the new road should be done under strict supervision of the concerned officials of the Forest Department, Sikkim for diversion of road from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.

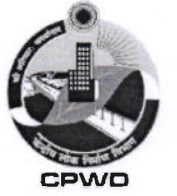
(Shiv Charan Lal Meena)
 Executive Engineer
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 BRPD-I, CPWD, Chungthang
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भारत सरकार Government of India
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UNDERTAKING

This is to certify that the Legal status of the forest land proposed for diversion shall remained unchanged for diversion of road from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.

(Shiv Charan Lal Meena)
Executive Engineer
BRPD-I, CPWD, Chungthang

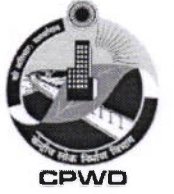
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भारत सरकार
केन्द्रीय लोक निर्माण विभाग
कार्यालय कार्यपालक अभियंता
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Government of India
Central Public Works Department
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UNDERTAKING

This is to certify that the violation of any of the above conditions will amount to violation of Forest (conservation) Act, 1980 and action shall be taken as per prescribed in para 1.21 of Chapter 1 of the Handbook of Comprehensive guidelines of Forest (Conservation) Act, 1980 issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019 for diversion of road from Muguthang to 20R Link Point under Lachen (T) Range in Mangan District of Sikkim by Indo Tibetan Border Police Force.

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