



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

Ref. No. 2008/FCA/F&ED/375.....

Dated: 29/10/2024

COMPLIANCE REPORT

To,

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

Sub: Proposal for diversion of 0.2340 ha of forest land for construction of new link road from Durga Mandir to Kamrang college job (A) at Dambudara Namchi Sikkim by Smart City Namchi under Namchi Municipal Council. - Compliance report req.

Ref. Letter No. FP/SK/ROAD/153655/2022/131 dated 10.04.2023.

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: -

Sl. No.	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 (0.5 ha) 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.	Rs. 1,23,068.00 has been deposited through NEFT/RTGS Challan. Deposited vide UTR No. UTIBR52023052000362734, dated. 20.05.2023.
2	The User Agency shall transfer online Net Present Value (NPV) for payable for the 0.2340 ha forest area to be diverted under this proposal, as per the orders of Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 & 09.05.2008 in IA NO. 566 in WP (C) No. 202/1995 and as per the guideline issued by this Ministry 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.	Rs. 1,56,813.00 has been deposited through NEFT/RTGS Challan. Deposited vide UTR No. UTIBR52023052000362734, dated. 20.05.2023.
3	All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (https://parivesh.nic.in).	Total of Rs.2,79,881.00 has been deposited through NEFT/RTGS Challan for State CAMPA. Deposited vide UTR No. UTIBR52023052000362734, dated. 20.05.2023.
4	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	Complied Certificate of DC submitted and uploaded on PARIVESH. Enclosed at (Annexure-I).
5	The KML files of the area to be diverted and the CA area shall be uploaded on the e-Green watch portal with all requisite details and submitting compliance report for seeking Stage-II approval.	Complied.

6	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 this Ministry's letter No.5-2/2017-FC dated 28.03.2019.	The user agency has submitted undertaking. Enclosed at (Annexure-II).
7	The compliance report of the Stage-I approval and tree enumeration shall be uploaded on e-portal (https://parivesh.nic.in).	The user agency has agreed.
B. Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted to Stage-II approval.		
1	Legal status of the forest land proposed for diversion shall remain unchanged.	The user agency has submitted undertaking. Enclosed at (Annexure-III).
2	Compensatory afforestation shall be taken up by the Forest Department over 0.5 ha degraded forest land (Location- Teri Khola Khasmal, Namchi (T) Range under Namchi 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.	The user agency has submitted undertaking. Enclosed at (Annexure-IV).
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.	The user agency has submitted undertaking. Enclosed at (Annexure-V).
4	The expenditure like felling, logging and transportation of project affected trees for should be deposited in the cutting & felling account of the State 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 Rs. 1,57,572.00 in SISCO, Bank. Deposited vide Advice No. (C052333526028, dated:20.05.2023).
5	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer the expenditure for boundary demarcation of diverted forest land of the same is to be executing by Forest & Environment Department is to be deposited in the cutting & felling account of the State Government.	The user agency has complied and deposited Rs. 1,91,688.00 in SISCO Bank. Deposited vide Advice No. (C052333526028, dated:20.05.2023).
6	Wherever possible and technically feasible, the User Agency shall undertake appropriate afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the Forest Department at the project cost.	The user agency has submitted undertaking. Enclosed at (Annexure-VI).
7	The layout plan of the proposal shall not be changed without prior approval of Central Government.	The user agency has submitted undertaking. Enclosed at (Annexure-VII).
8	(a) All the natural streams and Water Bodies in surrounding area shall be protected. (b) The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna. (c) Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency.	The user agency has submitted undertaking. Enclosed at (Annexure-VIII).

	(d) No labour camp shall be established on the forest land. (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. (f) During and after the construction period of the project, the project authority shall continue to Forest Department for conservation and development of natural resources of State.	The user agency has submitted undertaking. Enclosed at (Annexure-VIII) .
9	(a) The period of diversion under this approval shall be co-terminus 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-IX) .
10	Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife.	The user agency has submitted undertaking. Enclosed at (Annexure-X) .

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, please.

Yours sincerely,



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

Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980
Addl. Principal Chief Conservator of Forests

Nodal Officer (FCA)
Forests & Environment Department
Government of Sikkim

Copy to for information: -

1. PCCF-cum-Secretary, F&ED, GoS
2. CF(T)
3. DFO (Territorial) Namchi & follow up n. a.
4. DFO (Wildlife) Gangtok & follow up n. a.
5. File

Annexure-II

Information to be furnished about transmission of funds to CAMPA

1	Name of the User Agency and the Project	Smart City Namchi- construction of new link road from Durga Mandir to Kamrang Collage JOB-(A) at Dambudara Namchi District of Sikkim.		
2	Location of forest area diverted (State/Dist/Taluk/Village) Pl. also give log/lat details. If available.	Namchi District of Sikkim.		
3	Extent of forest area applied for, for diversion	0.2340 ha		
4	Extent of forest area approved for diversion	0.2340 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. 2008/FCA/F&ED/7 dated 01.05.2023		
6	No. and date of Stage-I clearance (pl. attach copy)	No. IRO/KOL/SK/ROAD/153655/2022/131 dated 10.04.2023		
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. 1,23,068.00		
	(ii) Additional Compensatory Afforestation Fund.			
	(iii) Penal Compensatory Afforestation Fund.	0		
	(iv) Catchment Area Treatment Plan Fund.	0		
	(v) Fund for Protected Area.	0		
	(vi) Net Present Value.	Rs. 1,56,813.00		
	(vii) Any other charges levied	0		
	(viii) TOTAL OF (i) to (viii)	Rs. 2,79,881.00		
9	Date of collection of fund as in Sl. No. above, with:			
	(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, CGO Complex, New Delhi-110003. (Sikkim CAMPA A/C No. 520101263743698) from (UTR No. UTIBR52023052000362734, dated. 20.05.2023).		
	(iii) Date of remittance to Govt. account, indicating Account No., Bank and Branch details.	20.05.2023		
10	Details of remittance of funds as in Col. 8 above to CAMPA, indicating:			
	(i) Authority by whom remitted;	User Agency		
	(ii) Bank, Branch to which remitted;	Union Bank of India, CGO Complex, New Delhi-110003. (Sikkim CAMPA A/C No. 520101263743698).		
	(iii) Mode of remittance (Draft/Pay Order/RTGS) with full particulars, including amount and date of remittance.	CA - Rs. 1,23,068.00 (UTR No. UTIBR52023052000362734, dated. 20.05.2023) NPV- Rs. 1,56,813.00 (UTR No. UTIBR52023052000362734, dated. 20.05.2023) Total - Rs. 2,79,881.00		
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.			
		Levies	Interest	Remarks
		CA - Rs. 1,23,068.00 NPV- Rs. 1,56,813.00 Total - Rs. 2,79,881.00	Nil Nil Nil	Directly remitted to Sikkim CAMPA, Union Bank of India, New Delhi.
12	Any other details.			


 (Dr. P. Senthil Kumar, IFS)
 APCCF-cum-Nodal Officer
 Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980
 Addl. Principal Chief Conservator of Forests
 Nodal Officer (FCA)
 Forests & Environment Department
 Government of Sikkim

To
The Nodal Officer (FCA),
Forests, Environment, Wildlife Management & Climate Change Department,
Government of Sikkim,
Forest Secretariat, Deorali, Gangtok-737102

Sub: - Proposal for diversion of 0.2340 ha of forest land for construction of new link road from Durga Mandir to Kamrang Collage JOB-(A) at Dambudara Namchi Sikkim by Smart City Namchi under Namchi Municipal Council.

Sir,

This is in reference to Stage-I approval (In Principle) of the State Government along with Demand note I & II vide letter no. 2008/FCA/F&ED/7 Dated 01.05.2023. Accordingly, compliance are made and submitted as follows:

SN	Conditions to be fulfilled	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 (0.5 ha) for Rs. 1,23,068.00 (Rupees One lakh Twenty three thousand and sixty eight) only as proposed by Forest Department at the prevailing wage rates as per compensatory Afforestation scheme shall be deposited in advance with Department by the project Authority. The CA will be maintained for 10 years.	Total of Rs. 2,79,881.00 (Rupees Two Lakh Seventy Nine Thousand, Eight Hundred and Eighty One) has been transferred (as mentioned in Demand Note-I to Adhoc CAMPA through e-challan generated on PARIVESH portal towards the charges for compensatory afforestation scheme & Net Present Value(NPV).
2.	The User Agency shall transfer online for charge the normal Net Present Value (NPV) for Rs. 1,56,813.00 (Rupees One lakh Fifty Six thousand Eight hundred and Thirteen) only payable for the 0.234 ha forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No.202/1995 and as per the guidelines issued by the Ministry vide letter No. 5-1/1998-FC(Pt.II) dated 8/09/2003.as well as letter No. 5-2/2006-FC dated 03/10/2006, 5-3/2007-FC dated 05/02/2009 and 5-3/2011-FC(vol-I) dated 19/01/2022 in this regard	
3.	All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (https://parivesh.nic.in).	Fund transferred/deposited to CAMPA fund only. (Deposit slip, challan enclosed)
4.	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 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 this Ministry's letter No.5-2/2017-FC dated 28.03.2019	Agreed (Undertaking enclosed)
6.	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in).	Agreed
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.	Agreed (Undertaking enclosed)

2.	Compensatory afforestation shall be taken up by the Forest Department over 0.5 ha degraded forest land (Location- Teri Khola Khasmal, Namchi (T) Range under Namchi 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 Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	Agreed (Undertaking enclosed)
4.	The expenditure like felling, logging and transportation of project affected trees for Rs. 1,57,572.00 (Rupees One Lakh Fifty Seven thousand Five hundred and Seventy Two) 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.	Total of Rs. 3,49,440.00 (Rupees Three Lakh, Forty Nine Thousand, Four Hundred and Forty) only has been deposited in saving account No. 100134029100112 IFSC Code No. IBKL0108SIC in Sikkim State Co-Operative Bank Ltd, Gangtok Branch against Demand Note No-II towards the charges of compensatory levies for felling, logging and transportation of project affected trees and Cost for Boundary Demarcation of Diverted forest land.
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. Government. If the same is to be executed through Forest & Environment Department { Rs. 1,91,688.00 (Rupees One Lakh Ninety One thousand Six hundred and Eighty Eight) only } shall be transferred in the cutting & felling account of the State Government. .00	
6.	Wherever possible and technically feasible, the User Agency shall undertake appropriate afforestation or vegetation enrichment measures near the sites related to the area diverted under this approval in consultation with the Forest Department at the project cost.	Agreed (Undertaking enclosed)
7.	The lay out plan of the proposal shall not be changed without prior approval of the Central Government.	Agreed (Undertaking enclosed)
8.	(a) All the natural streams and water bodies in surrounding area shall be protected. (b) The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna. (c) Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency. (d) No labour camp shall be established on the forest land. (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. (f) During and after the construction period of the project, the project authority shall continue to assist the Forest Department for conservation and development of natural resources of the State.	Agreed (Undertaking enclosed)
9.	(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 life. (c) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or	Agreed (Undertaking enclosed)

	person without prior approval of Central Government.	
10.	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	Agreed (Undertaking enclosed)

Now, I would like to request your good office to kindly arrange for final approval under Section 2 of the Forest Conservation Act, 1980 and grant permission to take up the construction activities in the above cited area with the provision of Guidelines issued vide letter no. 11-306/2014-FC dated 28.08.2015 reference

Thanking You,

Yours faithfully,



Chief Executive Officer,
~~Namchi Smart City Limited,~~
~~Namchi Smart City Limited,~~
 Namchi Smart City Ltd.
 Namchi, South Sikkim



NAMCHI SMART CITY LIMITED

(SPV of Govt. of Sikkim under Companies Act, 2013)

CIN :U74999WB2017SGC219726

CERTIFICATE OF UNDERTAKING

The Namchi Smart City limited (NSCL) hereby agree to abide and act upon all the condition laid as per Forest Conservation Act 1980. The NSCL further undertake that any violation of the conditions laid out can be considered as direction violation of Forest(Conservation) Act,1980 .

The NSCL understand any such violation are subject to action 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's letter No. 5-2/2017-FC Dated:28.03.2019

Chief Executive Officer,
Namchi Smart City Ltd
Namchi, South Sikkim



NAMCHI SMART CITY LIMITED

(SPV of Govt. of Sikkim under Companies Act, 2013)

CIN :U74999WB2017SGC219726

CERTIFICATE OF UNDERTAKING

The Namchi Smart City limited (NSCL) hereby give undertaking that there shall be remain unchanged of legal status of forest land proposed for the diversion of 0.234 ha for the construction of new link road from Durga Mandir to Kamrang Collage JOB-(A) at Dambudara Namchi Sikkim under Namchi Municipal Council.


Chief Executive Officer,
Namchi Smart City Ltd.
Namchi, South Sikkim

Admin. Office: UDHD Office Building, Kavi Agam Singh Marg, Namchi-737126, South-Sikkim
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NAMCHI SMART CITY LIMITED

(SPV of Govt. of Sikkim under Companies Act, 2013)

CIN : U74999WB2017SGC219726

CERTIFICATE OF UNDERTAKING

The Namchi Smart City limited (NSCL) hereby give the undertaking to bear the cost of any additional amount of the Net Present Value(NPV) of the diverted forest land if left after the finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee.

Chief Executive Officer,
Chief Executive Officer,
Namchi Smart City Ltd
Namchi, South Sikkim

Admin. Office: UDHD Office Building, Kavi Agam Singh Marg, Namchi-737126, South-Sikkim
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NAMCHI SMART CITY LIMITED

(SPV of Govt. of Sikkim under Companies Act, 2013)

CIN :U74999WB2017SGC219726

CERTIFICATE OF UNDERTAKING

The Namchi Smart City limited (NSCL) hereby undertake to do appropriate afforestation or vegetation enrichment measures along the area of forest land diversion in consultation with the forest Department subject to its possibility and technically feasibility.

Chief Executive Officer,
Namchi Smart City Ltd
Namchi Smart City Ltd.
Namchi, South Sikkim



NAMCHI SMART CITY LIMITED

(SPV of Govt. of Sikkim under Companies Act, 2013)

CIN :U74999WB2017SGC219726

CERTIFICATE OF UNDERTAKING

The Namchi Smart City limited (NSCL) hereby gives undertaking to accept any other condition that the Ministry of Environment, Forest & Climate change may add time to time in the interest of conservation, protection and development of forest and wildlife.

Chief Executive Officer,
Namchi Smart City Ltd,
Namchi, South Sikkim



NAMCHI SMART CITY LIMITED

(SPV of Govt. of Sikkim under Companies Act, 2013)

CIN :U74999WB2017SGC219726

CERTIFICATE OF UNDERTAKING

The Namchi Smart City limited (NSCL) hereby give undertaking that the lay out plan of the proposed diversion will not be changed without the prior consent and approval of the Central Government.

Chief Executive Officer,
Chief Executive Officer
Namchi Smart City Ltd.
Namchi, South Sikkim



NAMCHI SMART CITY LIMITED

(SPV of Govt. of Sikkim under Companies Act, 2013)

CIN : U74999WB2017SGC219726

CERTIFICATE OF UNDERTAKING

The Namchi Smart City limited (NSCL) hereby gives undertaking the following as below:

- (a) All the natural streams and water bodies in surrounding area shall be protected.
- (b) The labourers and staff engaged in construction activity will not damage the nearby forest flora and fauna.
- (c) The Earth or any other material will not be brought from and debris resulting during construction will not be disposed off in the adjoining forest area.
- (d) No labour camp will be set on the forest land.
- (e) The alternate fuels preferably LPG to the labourers and the staff working at the site will be provided hence there shall be no any damage and pressure on the nearby forest areas.
- (f) The NSCL will provide its assist to Forest Department for conservation and development of natural resources of the State even and after the completion of construction period of the project.


Chief Executive Officer,
Namchi Smart City Ltd
Namchi, South Sikkim

Admin. Office: UDHD Office Building, Kavi Agam Singh Marg, Namchi-737126, South-Sikkim
T|03595-264088, Fax: (03595)-264088 E| smartcity-namchi-sik@nic.in





NAMCHI SMART CITY LIMITED

(SPV of Govt. of Sikkim under Companies Act, 2013)

CIN :U74999WB2017SGC219726

CERTIFICATE OF UNDERTAKING

The Namchi Smart City limited (NSCL) hereby gives the following undertaking as below:

- a) The Diverted forest land will be used only for the road construction purpose only.
- (b) The Forest Department can Co-terminus the period of diversion under the approval with the period of the project life.
- (c) There shall be no transferred of the diverted of proposed forest land to any other agencies, department or person without prior approval of Central Government.

Chief Executive Officer,
Namchi Smart City Ltd,
Namchi, South Sikkim