



No.NHIDCL/PMU-Gyalshing/Ravangla-Legship/PKGIV/2022-23/380 Date: 10.09.2022

To,

The CF-cum- Nodal Officer (FCA),
Forest & Env. Department
Forest Secretariat, Deorali
Govt. of Sikkim, Gangtok-737102.

Sub: Construction of 2-lane Specification Road with Paved Shoulder as Re-alignment of Existing Stretch between Ravangla to Legship of NH-510 (Design Chainage from Km 33.600 to Km 58.840) under SARDP-NE Phase "A" on EPC Mode in the State of Sikkim- (Package-IV)/Request for approval under Stage -II Forest Clearance-Reg.

Ref:- Letter no. 1936/FCA/F&ED/100, Dated: 17-08-2022.

1. Please refer the letter under reference vide which In-Principle approval under Stage -I 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:

Sl. No.	Conditions to be fulfilled	Compliances.
A.	Conditions which need to be complied prior to handling over of forest land by the State Forest Department.	
1.	The cost of compensatory afforestation on the CA land(27.3Ha) for Rs. 1,41,81,388.00 (Rupees one crore forty one lakhs eighty one thousand three hundred and eighty eight) only as proposed by Forest Department at the prevailing wage rates as per compensatory Afforestation scheme shall be deposited in advance with Department by the project Authority. The CA will be maintained for 10 years. (Demand Note-I enclosed).	Total of Rs.2,59,61,327.00 has been transferred (as mentioned in Demand Note I) to Ad Hoc CAMPA through e-challan (UTR no.CNRBR52022090689319769). Out of the total amount of Rs 2,59,61,327.00, Rs. 1,41,81,388.00 has been transferred towards the cost of raising and maintain the compensatory afforestation, Rs. 1,17,79,939.00 towards NET Present Value & Rs 25,53,038.00 towards the Avenue Plantation.
2.	The User Agency shall transfer online Net Present Value (NPV) for Rs. 1,17,79,939.00 (Rupees One crore seventeen lakh seventy nine thousand nine hundred and thirty nine) only for the 13.6755 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. (DemandNote-I enclosed).	
3.	All funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (http://parivesh.nic.in).	Fund already transferred/deposited
4.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	Agreed
5.	The KML files of the area to be diverted and the CA area shall be uploaded on the e-Green watch portal with all requisite details and submitting compliance report for seeking Stage-II approval.	Agreed
6.	Violation of any of these 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 Ministry's letter No. 5-2/2017-FC dated 28.03.2019.	NA
7.	The compliance report shall be uploaded on e-portal (http://parivesh.nic.in).	Compliance report uploaded on e-portal
B.		
1.	Legal status of the forest land shall remain unchanged.	Agreed
2.	Compensatory Afforestation shall be taken up by the Forest Department over 27.35 Ha degraded forest land (Location -Tendong RF, Deorali RF, Namchi Range, Area 17.35 Ha and Location - Deorali RF, Namchi Range, Area - 10Ha under South 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 may 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 user agency shall furnish an undertaking to this effect.	Undertaking enclosed

4.	The expenditure like felling, logging and transportation of project affected trees (Rs. 48,06,996.00 (Rupees Forty-eight lakhs Six thousand Nine hundred ninety-six) 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 Forest Department and the cost of felling of trees shall be deposited by the User Agency with the Forest Department. (Demand Note-II enclosed).	
5.	The boundary of the diverted forest shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer & if the same is to be executed through Forest & Environment Department for Rs. 11,96,928.00 (Rupees Eleven Lakhs ninety six thousand nine hundred and twenty eight) only shall be transferred in the cutting & felling account of the State Government. (Demand Note-II enclosed).	Undertaking Enclosed
6.	The User Agency shall raise strip plantation on both sides of the road for Rs. 25,53,038.00 (Rupees twenty five lakhs fifty three thousand and thirty eight) only as per the norms shall be deposited in advance with department by the project Authority. (Demand Note-II enclosed).	Rs 25,53,038.00 towards the Avenue Plantation had been deposited.
7.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Undertaking Enclosed
8. (a)	All the natural streams and water bodies in surrounding area shall be protected.	Undertaking Enclosed
(b)	The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.	Undertaking Enclosed
(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.	Undertaking Enclosed
(d)	No labour camp shall be established on the forest land.	Undertaking Enclosed
(e)	The User Agency shall provide alternate fuel preferably LPG to the Labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.	Undertaking Enclosed

9 (a).	The forest land shall not be used for any purpose other than that specified in the project proposal.	Undertaking Enclosed
(b).	The period of diversion under this approval shall be co-terminus with the period project life.	Undertaking Enclosed
(c).	The forest land proposed to be diverted shall under no circumstance be transferred to any other agencies department or person without prior approval of the Central Government.	Undertaking Enclosed
10.	Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time to time in the interest of afforestation, conversation, protection and development of forest & wildlife.	Agreed

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.


 (A K Singh)
 General Manager (P)

Copy to:

- (i) The Executive Director (P), NHIDCL, RO-Sikkim.
- (ii) Guard File.

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 persons without prior approval of the Central Government under forest diversion proposal in package IV of NH-510



(A K Singh)

General Manager (P)

Arbind Kumar Singh

General Manager (P)

Central Government, Forests Department

Ministry of Environment and Forests

Government of India

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 in package IV of NH-510



(A K Singh)

General Manager (P)

Arbind Kumar Singh

General Manager (P)

National Highway & Infrastructure Development Corporation Ltd.

(Under Ministry of Road Transport & Highways)

Government of India

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 in package IV of NH-510



(A K Singh)

General Manager (P)

Arbind Kumar Singh

General Manager (P)

National Highways & Infrastructure Development Corporation Ltd.

(Under Ministry of Road Transport & Highways)

Government of India

Undertaking

This is to certify that the User Agency shall provide alternate fuel preferably LPG to the Labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas under forest diversion proposal in package IV of NH-510.


(A K Singh)

General Manager (P)

General Manager (P)

National Highway & Infrastructure Development Corporation Ltd.
(Under Ministry of Road Transport & Highways)
Government of India

Undertaking

This is to certify that no labour camp shall be established on the forest land under package IV of NH-510 under forest diversion proposal in package IV of NH-510.



(A K Singh)

General Manager (P)

Arbind Kumar Singh
General Manager (P)

National Highways & Infrastructure Development Corporation Ltd.
(Under Ministry of Road Transport & Highways)
Government of India

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 under forest diversion proposal in package IV of NH-510.


(A K Singh)

General Manager (P)

Arbind Kumar Singh

General Manager (P)

National Highways Infrastructure Development Corporation Ltd.

(Under Ministry of Road Transport & Highways)

Government of India

Undertaking

This is to certify that there shall be no damage the nearby forest flora and fauna during the construction activity under forest diversion proposal in package IV of NH-510.



(A K Singh)

General Manager (P)

Arbind Kumar Singh
General Manager (P)

Narmada Highway & Infrastructure Development Corporation Ltd.
(Under Ministry of Road Transport & Highways)
Government of India

Undertaking

This is to certify that all the natural streams and water bodies in surrounding area shall be protected under forest diversion proposal in package IV of NH-510

(A K Singh)

General Manager (P)

General Manager (P)

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[Under Ministry of Road Transport & Highways]

Case management of India

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 in package IV of NH-510.



(A K Singh)

General Manager (P)

Arbind Kumar Singh

General Manager (P)

National Highway & Infrastructure Development Corporation Ltd.
(Under Ministry of Road Transport & Highways)
Government of India

Undertaking

This is to certify that boundary of the diverted forest shall be suitably demarcated on ground at project cost, as per the directions of the concerned Divisional Forest Officer under forest diversion proposal in package IV of NH-510.


(A K Singh)

General Manager (P)

Arbind Kumar Singh

General Manager (P)

National Highways & Infrastructure Development Corporation Ltd.
(Under Ministry of Road Transport & Highways)
Government of India

Undertaking

User Agency will pay 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.



(A K Singh)

General Manager (P)

Arbind Kumar Singh
General Manager (P)

National Highway & Infrastructure Development Corporation Ltd.
(Under Ministry of Road Transport & Highways)
Government of India