

To,

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



Sub: Diversion of 1.8837 Ha of forest land for Construction of Rural Connectivity Road from Nizrameng PS to Upper Phong in South Sikkim by Rural Development Department Govt. of Sikkim Request for approval under Stage-II Forest Clearance-Reg.

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

- 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.
- 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 [Rs. <u>41,24,999.00</u> (Rupees Forty one lakh Twenty four thousand nine hundred ninety nine only]the cost of raising and maintain compensatory Afforestation (100 trees plantation and maintenance for 10 years) at the current wage rate in consultation with the Forest Department in the account of CAMPA of the concern State through online portal. (Demand note-I enclosed).	Total CA Levies of Rs. <u>61,37,376.00/-</u> has been deposited. 1. Total of Rs. <u>41,24,999.00</u> deposited towards payment of Compensatory Afforestation as under: (i) Rs. <u>31,93,195.00</u> deposited vide cheque no. 504871 on 2/11/21. (ii) Rs. <u>9,31,804.00</u> deposited vide cheque no.347908 on 17/11/23.
2.	The User Agency shall transfer online, the Net Present Value (NPV) [Rs. <u>20,12,377.00</u> (Rupees Twenty lakh twelve thousand three hundred seventy seven] for the 1.8837 ha forest area to be diverted under this proposal, 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 & Letter No. 5-3/2011-FC(Vol-I) dated 19/01/2022 in this regard (Demand note-I enclosed).	1. Total of Rs. <u>20,12,377.00</u> deposited towards payment of Net Present Value as under: (i) Rs. <u>13,15,279.00</u> deposited vide cheque no. 504871 on 2/11/21. (ii) Rs. <u>6,97,098.00</u> deposited vide cheque no.347908 on 17/11/23.
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 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 (Undertaking enclosed)
5.	Violation of any of these conditions will amount to	Agreed (Undertaking enclosed)

UDC
PL pram
23/9/24

[Signature]
20/9/24

[Signature]
[Signature]

	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	
6.	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in).	Compliance report uploaded on e-portal
B. Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval.		
1.	Legal status of the forest land shall remain unchanged.	Agreed (Undertaking enclosed)
2.	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 the vicinity of the project site. Indigenous trees species should be preferred for such plantation.	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.	Agreed (Undertaking enclosed)
4.	The expenditure like felling, logging and transportation of project affected trees [Rs. <u>7,30,350.00</u> (Rupees Seven lakh thirty thousand three hundred and fifty) only] 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 State Forest Department and the cost of felling of trees shall be deposited with the Forest Department. (Demand note-II enclosed).	Total of Rs. <u>7,30,350.00/-</u> has been deposited (as mentioned in Demand Note II) in favor of Chief Secretary cum-PCCF, Forest & Environment Department, Govt. of Sikkim. Out of the total amount of Rs <u>7,30,350.00</u> has been deposited vide cheque no 504871 on 2/11/21 towards the cost of felling, logging and transportation of project affected trees.
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.	
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.	Agreed (Undertaking enclosed)
7.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Agreed (Undertaking enclosed)
8.	All the natural streams and water bodies in surrounding area shall be protected.	Agreed (Undertaking enclosed)
(a)		
(b)	The User Agency shall ensure that the laborers and staff engaged in construction activity do not damage the nearby forest flora and fauna.	Agreed (Undertaking enclosed)
(c)	Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed off in the adjoining forest area by the user agency.	Agreed (Undertaking enclosed)
(d)	No labour camp shall be established on the forest land	Agreed (Undertaking enclosed)
(e)	The user Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as	Agreed (Undertaking enclosed)

	to avoid any damage and pressure on the nearby forest areas.	
9.(a)	The forest land shall not be used for any purpose other than that specified in the project proposal	Agreed (Undertaking enclosed)
(b)	The period of diversion under this approval shall be co-terminus with the period of the project life.	Agreed (Undertaking enclosed)
(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,


Chief Engineer
 Rural Development Department
 Government of Sikkim



GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT
GRAM VIKASH BHAWAN
GANGTOK

ANNEXURE II

Memo No. 883/RDD

Date: 04.07.2024.

CERTIFICATE OF UNDERTAKING

Name of the proposal: - **Construction of Rural Connectivity Road from Nizrameng PS to Upper Phong in South District (diversion of 1.8837 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 the conditions 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 (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

Secretary

Rural Development Department
Government of Sikkim
Gangtok

SECRETARY
Rural Development Department
Government of Sikkim

Annex - II



ANNEXURE III

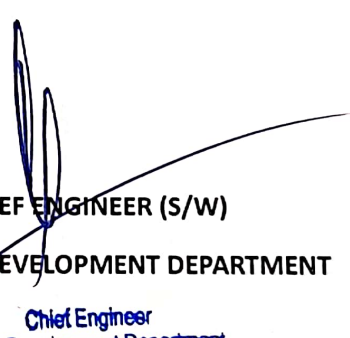
GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT
GRAM VIKASH BHAWAN
TASHILING, GANGTOK

Memo No: 781/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 1.8837 ha of forest land for construction of RCR from Nizrameng PS to Upper Phong in South Sikkim.


CHIEF ENGINEER (S/W)
RURAL DEVELOPMENT DEPARTMENT
Chief Engineer
Rural Development Department
Government of Sikkim

III
Dnnk - ~~II~~



ANNEXURE IV

GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT
GRAM VIKASH BHAWAN
TASHILING, GANGTOK

Memo No: 782/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

Chief Engineer
Rural Development Department
Government of Sikkim

Annex - IV





GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT
GRAM VIKASH BHAWAN
TASHILING, GANGTOK

Memo No: 783/CE (S/W)/RDD

Dated: 23/05/24

UNDERTAKING

This is to certify that the Rural Development Department 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, under forest Diversion of 1.8837 ha of forest land for construction of RCR from Nizrameng PS to Upper Phong in South Sikkim.

CHIEF ENGINEER (S/W)
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer
Rural Development Department
Government of Sikkim

Annex-V



ANNEXURE VI

GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT
GRAM VIKASH BHAWAN
TASHILING, GANGTOK

Memo No: 784/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 1.8837 ha of forest land for construction of RCR from Nizrameng PS to Upper Phong in South Sikkim.


CHIEF ENGINEER (S/W)
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer
Rural Development Department
Government of Sikkim

Annex - VI





GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT
GRAM VIKASH BHAWAN
TASHILING, GANGTOK

ANNEXURE - VI

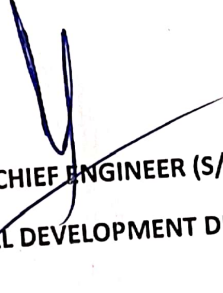
ANNEXURE - VII

Memo No: 788/CE(S/W)/RDD

Dated: 23/8/24

UNDERTAKING

This is to certify that no labor camp shall be established on the forest land under Forest Diversion of 1.8837 ha of forest land for construction of RCR from Nizrameng PS to Upper Phong in South Sikkim.


CHIEF ENGINEER (S/W)
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer
Rural Development Department
Government of Sikkim

Annex - VII





GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT
GRAM VIKASH BHAWAN
TASHILING, GANGTOK

Memo No: 789/CE(S/W)/RDD

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 1.8837 ha of forest land for construction of RCR from Nizrameng PS to Upper Phong in South Sikkim.


CHIEF ENGINEER (S/W)
RURAL DEVELOPMENT DEPARTMENT
Chief Engineer
Rural Development Department
Government of Sikkim

Annex - VIII



GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT
GRAM VIKASH BHAWAN
TASHILING, GANGTOK


ANNEXURE - IX

Memo No: 790/CE(S/W)/RDD

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 1.8837 ha of forest land for construction of RCR from Nizrameng PS to Upper Phong in South Sikkim.


CHIEF ENGINEER (S/W)
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer
Rural Development Department
Government of Sikkim

Annex - IX





ANNEXURE - X

GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT
GRAM VIKASH BHAWAN
TASHILING, GANGTOK

Memo No: 791 /CE(S/W)/RDD

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 1.8837 ha of forest land for construction of RCR from Nizrameng PS to Upper Phong in South Sikkim.


CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT

Chief Engineer
Rural Development Department
Government of Sikkim

Annex - E





ANNEXURE - XI

GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT
GRAM VIKASH BHAWAN
TASHILING, GANGTOK

Memo No: 792/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 1.8837 ha of forest land for construction of RCR from Nizrameng PS to Upper Phong in South Sikkim.


CHIEF ENGINEER (S/W)
RURAL DEVELOPMENT DEPARTMENT
Chief Engineer
Rural Development Department
Government of Sikkim

Annex - XI





GOVERNMENT OF SIKKIM
RURAL DEVELOPMENT DEPARTMENT
GRAM VIKASH BHAWAN
TASHILING, GANGTOK

Memo No: 793/CE (S/W)/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

Chief Engineer
Rural Development Department
Government of Sikkim

ANNEX - XII

21-Sep-2021 5 CHQ BOOK CHARGES
177.50

2,80,583.50Cr

29-Sep-2021 100134029100112: Int. Pd: 27-07-2
5,858.00 2,86,441.50Cr

15-Nov-2021 SL-OL-RTGS-NEFT PMT ENS 0
38,27,45,850.00 38,30,32,291.50Cr

17-Nov-2021 681316
5,08,177.00 38,35,40,468.50Cr

17-Nov-2021 681308
10,08,540.00 38,45,49,008.50Cr

17-Nov-2021 681315
19,39,467.00 38,64,88,475.50Cr

18-Nov-2021 SL-OL-RTGS-NEFT PMT ENS 0
18,37,695.00 38,83,26,170.50Cr

30-Nov-2021 504870
94,975.00 38,84,21,145.50Cr

30-Nov-2021 504869
16,74,237.00 39,00,95,382.50Cr

02-Dec-2021 504871
7,30,350.00 39,08,25,732.50Cr

cutting/selling

04-Dec-2021 504872
1,30,834.00 39,09,56,566.50Cr

10-Dec-2021 SL-OL-RTGS-NEFT PMT ENS 0
6,45,638.00 39,16,02,204.50Cr

31-Dec-2021 100134029100112: Int. Pd: 01-10-2
16,33,743.00 39,32,35,947.50Cr

05-Feb-2022 696315
4,050.00 39,32,39,997.50Cr

05-Feb-2022 696317
4,725.00 39,32,44,722.50Cr

05-Feb-2022 696322
7,290.00 39,32,52,012.50Cr

05-Feb-2022 696316
93,150.00 39,33,45,162.50Cr

17-Mar-2022 PAO IB New Delhi
3,23,265.00 39,36,68,427.50Cr

AGENCY COPY

यूनियन बैंक ऑफ इंडिया  Union Bank of India

NEFT / RTGS CHALLAN for CAMPA Funds

Date : 26-11-2024

Agency Name.	RURAL DEVELOPMENT DEPARTMENT, GOVT OF SIKKIM
Application No.	6129921540
MoEF/SG File No.	3-SKB065/2018-SHI
Location.	SIKKIM
Address.	Rural Development Department Tashiling, Secreteriate Gangtok
Amount(in Rs)	1628902/-

Amount in Words : Sixteen Lakh Twenty-Eight Thousand Nine Hundred and Two Rupees Only

NEFT/RTGS to be made as per following details;

Beneficiary Name:	SIKKIM CAMPA
IFSC Code:	UBIN0996335
Pay to Account No.	150866129921540 Valid only for this challan amount.
Bank Name & Address:	Union Bank Of India FCS Centre, 21/1, III Floor, Jelitta Towers, Mission Road, Bengaluru-560027

- This Challan is strictly to be used for making payment to CAMPA by NEFT/RTGS only

BANK COPY

यूनियन बैंक ऑफ इंडिया  Union Bank of India

NEFT / RTGS CHALLAN for CAMPA Funds

Date : 26-11-2024

Agency Name.	RURAL DEVELOPMENT DEPARTMENT, GOVT OF SIKKIM
Application No.	6129921540
MoEF/SG File No.	3-SKB065/2018-SHI
Location.	SIKKIM
Address:	Rural Development Department Tashiling, Secreteriate Gangtok
Amount(in Rs)	1628902/-

Amount in Words : Sixteen Lakh Twenty-Eight Thousand Nine Hundred and Two Rupees Only

NEFT/RTGS to be made as per following details;

Beneficiary Name:	SIKKIM CAMPA
IFSC Code:	UBIN0996335
Pay to Account No.	150866129921540 Valid only for this challan amount.
Bank Name & Address:	Union Bank Of India FCS Centre, 21/1, III Floor, Jelitta Towers, Mission Road, Bengaluru-560027

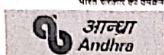
- This Challan is strictly to be used for making payment to CAMPA by NEFT/RTGS only

Note: After making the required payment through challan, if the payment status has not been updated even after 7 working days, then kindly mail a copy of your challan with transaction date and reference id to Email: fcsblr@unionbankofindia.bank, epurse@unionbankofindia.bank, ubin0903710@unionbankofindia.bank

Print

AGENCY COPY

यूनियन बैंक ऑफ इंडिया  Union Bank of India



NEFT / RTGS CHALLAN for CAMPA Funds

Date : 28-02-2022

Agency Name.	RMDD
Application No.	6129921129
MoEF/SG File No.	3-SKB065/2018-SHI
Location.	SIKKIM
Address.	NamchiNamchi
Amount(in Rs)	4508474/-

Amount in Words :Forty-Five Lakh Eight Thousand Four Hundred and Seventy-Four Rupees Only

NEFT/RTGS to be made as per following details;

Beneficiary Name:	SIKKIM CAMPA
IFSC Code:	UBIN0903710
Pay to Account No.	150866129921129 Valid only for this challan amount.
Bank Name & Address:	Union Bank Of India Lodhi Complex Branch, Block 11,CGO Complex, Phase I, Lodhi Road, New Delhi -110003

- This Challan is strictly to be used for making payment to CAMPA by NEFT/RTGS only

BANK COPY

यूनियन बैंक ऑफ इंडिया  Union Bank of India



NEFT / RTGS CHALLAN for CAMPA Funds

Date : 28-02-2022

Agency Name.	RMDD
Application No.	6129921129
MoEF/SG File No.	3-SKB065/2018-SHI
Location.	SIKKIM
Address:	Namchi Namchi
Amount(in Rs)	4508474/-

Amount in Words :Forty-Five Lakh Eight Thousand Four Hundred and Seventy-Four Rupees Only

NEFT/RTGS to be made as per following details;

Beneficiary Name:	SIKKIM CAMPA
IFSC Code:	UBIN0903710
Pay to Account No.	150866129921129 Valid only for this challan amount.
Bank Name & Address:	Union Bank Of India Lodhi Complex Branch, Block 11,CGO Complex, Phase I, Lodhi Road, New Delhi -110003

- This Challan is strictly to be used for making payment to CAMPA by NEFT/RTGS only

After making successful payment, User Agencies may send a line of confirmation through
Email: helpdeskampa@corpbank.co.in

Note:After making the required payment through challan, if the payment status has not been updated even after 7 working days, then kindly mail a copy of your challan with transaction date to
Email: cb0371@unionbankofindia.com

Print

ANNEXURE I

FORM -1
(for linear projects)
Government of Sikkim
Office of the District Collector, South

Ref. 19/FKS

Dated: 03.04.2018.

TO WHOM SO EVET 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 3rd August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ('FRA', for short) on the forest land proposed to be diverted for non forest purposes read with MoEF letter dated 5th February 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that 1.8837 hectares of forest land proposed to be diverted in favour of Rural Management and Development Department Govt. of Sikkim for construction of Rural Connectivity Road from Nizrameng PS to Upper Phong in South District falls within jurisdiction of Burul and Nizrameng villages in Namchi tehsil.

It is further certified that

- (a) the complete process for identification and settlement of rights under the FRA has been carried out for the entire 0.4416 hectares of forest area proposed for diversion. A copy of records of all consultations and meetings of the Forest Rights Committee (S), Gram Sabha(s), Sub-Division Level Committee (s) and the District Level Committee are enclosed as to annexure.....
- (b) 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 have given their consent to it and enclosed as to annexure 'A'.
- (c) The proposal does not involve recognized rights of primitive Tribal Group and pre-agricultural communities.

Encl: As above


Signature

(Shri Raj Yadav, IAS)
District Collector, Namchi, South Sikkim
District Collector
Namchi, South Sikkim

Annex-I