



OFFICE OF THE DIVISIONAL ENGINEER RURAL DEVELOPMENT DEPARTMENT GOVERNMENT OF SIKKIM MANGAN DISTRICT

No. 59 /RDD/DE/N/ 15/2024-25

To,

The APCCF-cum-Nodal Officer (FCA), Forest & Environment Department, Forest Secretariat, Deorali Govt. of Sikkim Dated:25/06/2024

Sub: Diversion of 0.979 ha. For RCR from NSH via Samdonche to Upper Gaikhana in Phodong, North Sikkim. Request for approval under Stage-II Forest Clearance-Reg.

Reference letter No.SK/ROAD-71/2021/FC/172 Dated 25/04/22

- 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.	Conditions to be fulfilled	Compliances			
	No.					
	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. 24,24,417/- (Rupees					
		Twenty Four Lakhs Twenty Four Thousand Four				
		Hundred Seventeenoniy)]as the cost of raising and maintainingcompensatory Afforestation(100 trees plantation	Total of Rs. <u>34,71,428/-</u> has been deposited vide cheque no.			
		and maintenance for 10 years) at the current wage rate in	280938 on 01/7/22 and cheque			
		consultation with the Forest Department in the account of	no. 347908 on 17/11/23. Out of			
		CAMPA of the concern State through online portal. (Demand	the total amount of Rs			
		note-I enclosed).	24,24,417.00 has been			
	2.	The User Agency shall transfer online, the Net Present Value				
1.1	×	(NPV) [Rs. 10,47.011/-(Rupees Ten Lakhs Forty Seven	raising and maintain the			
andu		Thousand Eleven only)] for the 0.979ha forest area to be	compensatory Afforestation, Rs.			
a) Pro-		diverted under this proposal, as per the order of the Hon'ble	10,47.011.00 towards NET			
pr' in	•	Supreme Court of India dated 28.03.2008, 24.04.2003 and	Present Value.			
an		09.05.2008 in IA No. 566 in WP (C) No. 202/1995 and the				
Bullinn by brenn		guidelines issued by the Ministry vide letters No.5-2/2006-FC				
July	aly					

 user agency by the Forest Department but the compliance in form of undertaking shall b submitted prior to Stage-II approval. Legal status of the forest land shall remain unchanged. Agreed (Undertaking enclosed) 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. 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. The expenditure like felling, logging and transportation of project affected trees [Rs.1,55,095.00 (Rupees One Lakh Fifty Five Thousand Ninety Five) 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 shall be deposited with the Forest Department. (Demand note-II enclosed). 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 or transfer the expenditure for boundary demarcation of diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the State Government. (Demand note-II enclosed). The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the direction of the state Government. (Demand note-II enclosed). Muberver possible and technically feasible, the User Agency 			
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expenditure for boundary demarcation of diverted forest land [Rs. 2,39,610.00 (Rupees Two Lakh Thirty Nine Thousand Six Hundred Ten) only] in the cutting & felling account of the State Government. (Demand note-III enclosed). Agreed (Undertaking enclosed)		of the concerned Divisional Forest Officer or transfer the	2 39 610.00 towards cost
[Rs. 2,39,610.00 (Rupees Two Lakh Thirty Nine Thousand Six Hundred Ten) only] in the cutting & felling account of the State Government. (Demand note-III enclosed).		expenditure for boundary demarcation of diverted forest land	boundary demarcation.
Six Hundred Ten) only] in the cutting & felling account of the State Government. (Demand note-III enclosed). 6 1 Wherever possible and technically feasible, the User Agency		IDe 2 30 610 00 (Rupees Two Lakh Thirty Nine Thousand	
the State Government. (Demand note-III enclosed).		Six Hundred Ten) only] in the cutting & felling account of	
6.1 Wherever possible and technically feasible, the User Agency Agreed (Undertaking enclosed		the State Government, (Demand note-III enclosed).	
shall undertake appropriate Afforestation or vegetation	61	Wherever possible and technically feasible, the User Agency	A greed (Undertaking enclosed
	1 cm	shall undertake appropriate Afforestation or vegetation	

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	enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the Forest	
	Department at the project cost.	
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	Agreed (Undertaking enclosed)
	shall be protected.	Agreed (Ondertaking 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	Agreed (Undertaking enclosed)
(1)	in the adjoining forest area by the user agency. No labour camp shall be established on the forest land	Agreed (Undertaking enclosed)
(d) (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.	Agreed (Undertaking enclosed)
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	Agreed (Undertaking enclosed)
10	Government. 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 Dev. Department Govt: of Sikkim

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Memo No, 891/RDD

Date: 04.07.2024

CERTIFICATE OF UNDERTAKING

Name of the proposal: -

<u>Construction of Rural Connectivity Road from NSH VIA</u> <u>Samdonche to Upper Gaikhana in Phodong North</u> District(diversion of 0.979 hectare of forest land).

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

Secretary Rural Development Department Government of Sikkim Gangtok SECRETARY Rural Development Department Government of Sikkim



Memo No: 679/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 0.979 ha of forest land for construction of RCR from NSH via Samdoche to Upper Gaikhana in Phodong, North Sikkim.

CHIEF ENGINEER (S/W) RURAL DEVELOPMENT DEPARTMENT Chief Engineer Rural Dev. Department

Govt. of Sikkim



Memo No: 6 80 /CE (SIW) /PUD

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.

CHIEFENGINEER (S/W) RURAL DEVELOPMENT DEPARTMENT



Memo No:682/LE(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 0.979 ha of forest land for construction of RCR from NSH via Samdoche to Upper Gaikhana in Phodong, North Sikkim.

CHIEFENGINEER (S/W) RURAL DEVELOPMENT DEPARTMENT



Memo No: 683/LE (S/W) / RUD

Dated: 23/08/24

UNDERTAKING

This is to certify that all the natural streams and water bodies in surrounding area shall be protected under forest Diversion of 0.979 ha of forest land for construction of RCR from NSH via Samdoche to Upper Gaikhana in Phodong, North Sikkim.

CHIEF ENGINEER (S/W) RURAL DEVELOPMENT DEPARTMENT



Memo No: 684/ce (s/w)/RDD

Dated: 23/08/24

UNDERTAKING

This is to certify that the Rural Development Department shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna of forest land for Diversion of 0.979 ha of forest land for construction of RCR from NSH via Samdoche to Upper Gaikhana in Phodong, North Sikkim.

CHIEF ENGINEER (S/W) RURAL DEVELOPMENT DEPARTMENT



Memo No: 685/02 (S/W)/200

Dated: 23 108/24

UNDERTAKING

This is to certify that the Earth or any other material shall not be brought from and debris resuting during construction shall not be disposed off in the adjoining forest area by the Rural Development Department for Diversion of 0.979 ha of forest land for construction of RCR from NSH via Samdoche to Upper Gaikhana in Phodong, North Sikkim.

CHIEF ENGINEER (S/W) RURAL DEVELOPMENT DEPARTMENT



Memo No: 686/ CE (S/W) /PDD

Dated: 23/08/24

UNDERTAKING

This is to certify that no labor camp shall be established on the forest land under Forest Diversion of 0.979 ha of forest land for construction of RCR from NSH via Samdoche to Upper Gaikhana in Phodong, North Sikkim.

CHIEP ENGINEER (S/W) RURAL DEVELOPMENT DEPARTMENT



Memo No:687/CE (S/W) / ROD

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 so0 as to avoid any damage and pressure on the nearby forest areas under forest Diversion of 0.979 ha of forest land for construction of RCR from NSH via Samdoche to Upper Gaikhana in Phodong, North Sikkim.

CHIEF ENGINEER (S/W) RURAL DEVELOPMENT DEPARTMENT



Memo No: 688/CE (SIW) ROD

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 0.979 ha of forest land for construction of RCR from NSH via Samdoche to Upper Gaikhana in Phodong, North Sikkim.

CHIEF ENGINEER (S/W) RURAL DEVELOPMENT DEPARTMENT



Memo No: 699 /ce (slw) /RDD

Dated: 23 /08 /2. 4

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 0.979 ha of forest land for construction of RCR from NSH via Samdoche to Upper Gaikhana in Phodong, North Sikkim.

CHIEF ENGINEER (S/W) RUBAL DEVELOPMENT DEPARTMENT



Memo No: 690/LE(Sha)/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 0.979 ha of forest land for construction of RCR from NSH via Samdoche to Upper Gaikhana in Phodong, North Sikkim.

CHIEF ENGINEER (S/W) RURAL DEVELOPMENT DEPARTMENT

Chief Engineer Pur Chief Engineer Rural Dev. Department Govt. of Sikkim



Memo No: 691/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



Memo No:681/CE (SIW) RDD

Dated: 23/08/24

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 0.979 ha of forest land for construction of RCR from NSH via Samdoche to Upper Gaikhana in Phodong, North Sikkim.

CHIEF ENGINEER (S/W) RURAL DEVELOPMENT DEPARTMENT