

Government of West Bengal
Department of Forests
For Branch
Aranya Bhavan (1st Floor), Block-LA-10A, Sector-III, Salt Lake City
Kolkata-700 106

No. 250-For/FR/O/L/10T-2/2019

Kolkata, the 19th February, 2021

MEMORANDUM

Sub: Proposed Diversion of 116.001 ha. of forest land in favour of National Highways and Infrastructure Development Corporation Limited (NHIDCL) for realignment, rehabilitation and upgradation to 2(Two) lane with paved shoulders configuration of Bagrakot to Kafer & Kafer to Reshi Border of NH-717A in West Bengal under Kalimpong Forest Division.

The undersigned is directed to refer to the proposal contained in no.10209/L</2M-1358/2017 dt. 30/1/2019 on the subject noted above from the office of the Principal Chief Conservator of Forests & HoFF.

After careful consideration of the said proposal, recommended and forwarded by Additional Principal Chief Conservator of Forests (CAMPA) & Nodal Officer, FCA, 1980, the Governor is pleased to accord Stage-II/final approval as per provision laid down in guideline vide F.No. 5-2/2017-FC dt. 28.03.2019, issued by the Ministry of Environment, Forests & Climate Change (FC Division), Government of India & in pursuance of Sec 2 of the Forest (Conservation) Act, 1980, for diversion of 116.001 ha. of forest land for realignment, rehabilitation and upgradation to 2 lane with paved shoulders configuration of Bagrakot to Kafer & Kafer to Reshi Border of NH-717A in West Bengal under Kalimpong Forest Division in favour of National Highways and Infrastructure Development Corporation Limited (NHIDCL) subject to fulfilment of the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. The Nodal Officer, Forest (Conservation) Act, 1980 shall submit monthly report to the Eastern Regional Office by 5th of every month regularly, failing which, the grant of such permission may be suspended by the Central Government for a specified period or till the information is submitted.
3. The user agency shall be responsible for any loss to the flora/fauna in the surroundings, and, therefore, shall take all possible measures to conserve the same.
4. As per approved Compensatory Afforestation scheme Compensatory Afforestation shall be raised over 116.001 ha. of degraded forest land under Kalimpong forest division identified at:

Sl No.	RANGE	BEAT	BLOCK / COMPARTMENT	AREA IN Ha.
1.	Chel	Mongpong	Churanti-1	32.2505
2.	Chel	Mongpong	Mongpong-14	11.2689
3.	Pankhasari	Pankhasari	Paingaon-4 & 5	45.5082
4.	Kalimpong	H.Q. Beat	Sangser-1	8.9734
5.	Noam	Noam	Lethi-1	18.000
Total:-				116.001

5. User Agency shall explore all feasible alternatives to minimize use of forest land. Forest land to be used for creation of border infrastructure shall be restricted to the bare minimum and shall be used only when it is unavoidable. The concerned DFO shall certify to this effect.
6. As per observation of CCF, Hill Circle, dt. 22/1/2019 the proposed forest area (116.001 ha) is a fragile eco-system located in hilly terrain and some area is erosion prone. Proper soil conservation measures have to be adopted during road construction. Number of trees to be felled/cut should as less as possible, only those trees will be felled which are coming within 12m width of the road+some trees which may fall due to steep hill slope or, to maintain road gradient and shoulder. Out of 32157 nos. of trees within 116.001 ha of forest land, about 25000 trees are located above 500 m elevation which is to be looked into the light of Hon'ble Supreme Court's order.

7. No of trees to be felled , should be minimised and only those trees should be felled which are coming within width of the proposed road and some trees which may fall due to steep hill slope or to maintain roads gradient and shoulder.
8. Permission granted by this department shall be subject to the monitoring by the Eastern Regional Office of the Ministry of Environment, Forests & Climate Change, Government of India.
9. Forest land utilized for creation of the border infrastructure projects shall not be used for any purpose other than that specified in the proposal. Any change in the land use without prior permission of the Central/State Government shall amount to the violation of the Forest (Conservation) Act, 1980. Request of such changes shall be made to this Ministry by the Nodal Officer (Forest Conservation) of the concerned State.
10. State Forest Department/State Government or the Eastern Regional Office of the Ministry of Environment, Forests & Climate Change, Government of India may impose from time to time, any other condition in the interest of conservation, protection and/or development of Forest.
11. Considering the fragile eco system in the hill areas and to prevent landslides due to this project, the user agency shall prepare and implement a Comprehensive Soil conservation Plan at the project cost in consultation with the State Forest Department.
12. The user agency at the project cost will assist the State Government in preservation of flora and fauna of the area in accordance with an Integrated Wildlife Conservation Plan which shall be prepared by the DFO and approved by the Chief Wildlife Warden of the State. Attention will be particularly given to providing safe crossing and corridors for wildlife species protecting sensitive habitat like wetlands, grasslands and woodlands from degradation.
13. All the undertakings of NHIDCL will be binding on any other agency to which the project site is transferred in future.
14. No construction work should be initiated before compliance of the conditions laid down herein above.

Violation of any of these conditions will be amount to violation of Forest (Conservation) Act,1980 and action would be taken as per Para 1.21 (iii) of Chapter-1 of Handbook of Guidelines issued under F.C. Act,1980 vide Ministry of Environment, Forest & Climate Change, Government of India letter No.5-2/2017-FC dated 28.03.2019.

By order of the Governor



Additional Chief Secretary to the Government of West Bengal

No. 250/1(7)-For/FR/O/L/10T-2/2019

Kolkata, the 19th February, 2021

Copy forwarded for information and necessary action to:-

1. The Principal Chief Conservator of Forests (HoFF), West Bengal.
2. The Addl. Principal Chief Conservator of Forests & Nodal Officer, FCA, 1980.
3. The Chief Conservator of Forests, Hill Circle, West Bengal.
4. The Inspector General of Forest (C), Ministry of Environment, Forest & Climate Change, Integrated Regional Office, IB-198, Broadway Road, IB Block, Sector-III, Salt lake City, Kolkata-700 106
5. The Divisional Forest Officer, Kalimpong Forest Division.
6. Sri Devendra Singh, General Manager (P), NHIDCL, 1st Floor, 5th Mile, M.P. Golai, Tadong, Sikkim-737 102.
7. The P.S. to the MIC, Forest.

OSD to the Government of West Bengal