



GOVERNMENT OF SIKKIM

FORESTS AND ENVIRONMENT DEPARTMENT FOREST SECRETARIAT, DEORALI, GANGTOK-

737 102

Email:fca.sikkim@gmail.com

Ref. No. 1979 /FCA/F&ED/3062

Date 26 / 7 / 2023.

COMPLIANCE REPORT

To.

The Deputy Director General of Forest–cum-Nodal Officer, Integrated Regional Office, Ministry of Env. Forests & Climate Change, Government of India, IB – 198, Sector-III, Salt Lake City Kolkata - 700106.

SUB:

Proposal for diversion of 0.0116 ha of forest land for Installation of Automatic Data Acquisition & Real time data transmission system through Satellite for Rainfall Water Level & Snow measurement at 17th Mile Katao Gurudongmar Lake, Yumesamdong, Dombang, Thangu, Yumthang Valley, Dombang Zero, Lachung, Samdong, Zema and Lachen in Mangan Sikkim by Central Water Commission. - Compliance report reg.

Ref.

Letter No. IRO/KOL/SK/Others/146631/2021/186 date 26th May, 2023

Sir,

Pursuant to conditions of the Stage I (In Principle) approval accorded for the aforesaid project proposal vide letter No IRO/KOL/SK/Others/146631/2021/186 date 26th May, 2023, the User Agency has complied to all conditions of the In-Principle Approval by transferring fund of Compensatory levies and furnished the requisite documents along with hardcopy of undertakings which are as follows:

SI. No.	Conditions	Compliance	
1.	The cost of compensatory afforestation on the CA land (0.1 ha) as proposed by State Forest Department 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.	The user agency has complied and deposited Rs. 24,937.00 through	
2.	The State Government shall charge the Net Present Value (NPV) for the 0.0116 ha forest area to be diverted under this proposal from the User Agency, 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 of Environment & Forest 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(voldated 19/01/2022 in this regard.	The user agency complied and deposited Rs. 12,406.00 through NEFT/RTGS dated 27.06.2023	
	All funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (https://parivesh.nic.in).	Complied.	

FOREST CONSERVATION ACT (FCA).

4.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	The NOC of Lachen & Lachung Dzumsa (local body) has been submitted.
5.	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 this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.	The user agency has enclosed Undertaking-10.
6.	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in).	The compliance report has been uploaded on Parivesh portal.
7.	Legal status of the forest land proposed for diversion shall remain unchanged.	The user agency has enclosed Undertaking -01.
8.	Compensatory Afforestation shall be taken up by the Forest Department over 0.1 ha degraded forest land (Location-Chaten Khas & Lachung, Mangan (T) Range under Mangan 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 deposited payment of CA levies amounting to Rs. 24,937.00 through NEFT/RTGS, dated 27/06/2023
9.	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 enclosed Undertaking -02.
10	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.	Complied and deposited Rs. 13,028.00 through payment Ref UTR No. SBIC300186105815 dated 21/06/2023 The user agency has also submitted Undertaking -03 for felling of trees to minimum
11	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.	number. The user agency has submitted Undertaking-04.
12	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-05
13	The layout plan of the proposal shall not be changed without the prior approval of the Central Government	The user agency has submitted Undertaking -06

	(a)All the natural streams and water bodies (including Kupup Lake) 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.	
14	(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
	(d) No labour camp shall be established on the forest land.	submitted Undertaking -
	(e) The user Agency shall provide alternate fuels preferably LPG to	07
	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 construction period of the project, the project	
	authority shall continue to assist the State Forest Department for	
	conservation and development of natural resources of the State.	
	(a) The forest land shall not be used for any purpose other than that	
	specified in the project proposal.	
(45)	(b)The period of diversion under this approval shall be co-terminus	The user agency has
(15)	with the period of the project life.	submitted Undertaking -
	(c)The forest land proposed to be diverted shall under no	08
	circumstances be transferred to any other agencies, department, or	
	person without prior approval of Central Government.	
	Any other condition that the Ministry of Environment, Forest & Climate	The user agency has
(16)	Change may stipulate from time to time in the interest of afforestation,	submitted Undertaking -
	conservation, protection and development of forests & wildlife.	09

Therefore, in view of fulfilment of above conditions by the User Agency, and the Compliance Report submitted including undertakings are hereby enclosed for kind consideration for according Final Approval under Section 2 of the Forest (Conservation) Act. 1980.

Yours faithfully,

Copy for information to:

- 1. Secretary, Forest & Environment Department.
- 2. CF (T), Gangtok.
- 3. DFO (T) Gangtok for follow up
- 4. File

(Brijendra Swaroop, IFS), APCCF-cum-Nodal Officer (FCA). Brijendra Swaroop, IFS

APCCF, Env. & S.C., SBFP, SF, Plng, M&E.

Forests & Environment Department Government of Sikkim.

Annexure-II

Information to be furnished about transmission of funds to CAMPA

1	Name of the User Agency and the Project	CWC; diversion of 0.0116 ha of forest land for Installation of Automatic Data Acquisition & Real time data transmission system through Satellite for Rainfall Water Level & Snow measurement at 17th Mile Katao Gurudongmar Lake, Yumesamdong, Dombang, Thangu, Yumthang Valley, Dombang Zero, Lachung, Samdong, Zema and Lachen in Mangan, Sikkim.
2	Location of forest area diverted (State/Distt/Taluk/Village) Pl. also give log/lat details. If available.	Gangtok District of Sikkim
3	Extent of forest area applied for diversion	0.0116
4	Extent of forest area approved for diversion	0.0116
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. 1979/FCA/F&ED/12 dated 9.6.2023
6	No. and date of Stage-I clearance (pl. attach copy)	No. IRO/KOL/SK/Others/146631/2021/186 date 26th May, 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. 24,937.00
	(ii) Additional Compensatory Afforestation Fund.	0
	(iii) Penal Compensatory Afforestation Fund.	0
	(iv) Catchment Area Treatment Plan Fund.	0
	(v) Fund for Protected Area.	0
	(vi) Net Present Value.	Rs. 12,406.00
	(vii) Any other charges levied (pl. specify)	0
	(viii) TOTAL OF (i) to (viii)	Rs. 37,343.00
9	Date of collection of fund as in SI. No. above, with:	27.06.2023
	(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.	Corporation Bank, Lodhi Complex Branch, Block No. 11, CGO Complex, Phase – I, Lodhi Road, New Delhi – 110 003.
	(iii) Date of remittance to Govt. account, indicating Account No., Bank and Branch details.	27.06.2023

10	Details of remittance of funds as in Col. 8 above to CAMPA, indicating: (i) Authority by whom remitted; (ii) Bank, Branch to which remitted;	CA - Rs. 24,937.00 NPV - Rs 12,406.00 Total - Rs. 37,343.00 APCCF-cum-Nodal Officer (FCA) Corporation Bank, Lodhi Complex Branch, Block No. 11, CGO Complex, Phase - I, Lodhi Road, New Delhi - 110 003.
	(iii) Mode of remittance (Draft/Pay Order/RTGS) with full particulars, including amount and date of remittance.	NEFT/RTGS CHALLAN for CAMPA on 27.06.2023 CA - Rs. 24,937.00 NPV - Rs 12,406.00 Total - Rs. 37,343.00
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.	NEFT/RTGS CHALLAN for CAMPA off 27.06.2023 CA - Rs. 24,937.00 NPV - Rs 12,406.00
12	2 Any other details.	Acknowledgement is enclosed for reference.

(Brijendra Swaroop, IFS), APCCF-cum-Nodal Officer (FGA).
Briendra Swaroop, IFS),
APCCF-cum-Nodal Officer (FGA).
Briendra Swaroop, IFS),
APCCF-cum-Nodal Officer (FGA).
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Government of Sikkim.





भारत सरकार

GOVERNMENT OF INDIA

केन्द्रीय जल आयोग

CENTRAL WATER COMMISSION

सिक्किम अन्वेषण मंडल

SIKKIM INVESTIGATION DIVISION

तादोंग(सिक्किम) गान्तोक,

File No. SID/DB-83(Land Met)/2021-22/ 266-67



Date. 28to6/2023

सेवा में.

The Principal Secretary, Forest and Environment Department, Government of Sikkim, Gangtok.

विषय:-

Proposal for the diversion of 0.0116 Ha of forest land in favour of Central Water Commission for installation of Automatic Data Acquisition & Real Time Data Transmission System through Satellite for Rainfall, Water Level & Snow Measurement at 11 nos. of locations namely:-17th Mile Katao, Gurudongmar Lake, Yumesamdong, Dombang, Thangu, Yumthang Valley, Dombang Zero, Lachung, Samdong, Zema and Lachen in Mangan district of Sikkim – reg.

संदर्भ:-

- 1.1979/FCA/F&ED/12 dated: 09.06.2023
- 2. Copy of Challan dated: 19.06.2023
- 3. Copy of Payment Receipt dated: 23.06.2023

महोदय.

It is to submit that the Ministry of Environment, Forest & Climate Change, Government of India has accorded the Stage-I approval under Section-2 of the Forest Conservation Act, 1980 vide **letter No. IRO/KOL/SK/Others/146631/2021/186 date 26th May 2023** for diversion of 0.0116 Ha of forest land in favour of Central Water Commission for installation of Automatic Data Acquisition & Real Time Data Transmission System through Satellite for Rainfall, Water Level & Snow Measurement at 11 nos. of locations namely:-17th Mile Katao, Gurudongmar Lake, Yumesamdong, Dombang, Thangu, Yumthang Valley, Dombang Zero, Lachung, Samdong, Zema and Lachen in Mangan district of Sikkim.

Demand Note vide reference (1) cited above, was issued by Forests and Environment Department, Forest Secretariat, Deorali, Gangtok for the payment of **Rs.24,937/-** on the CA land (0.1 Ha) at the prevailing wage rates as per **compensatory afforestation scheme** and the payment of **Net Present Value (NPV) Rs.12,406/-** for the 0.0116 '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 & 5-3/2011-FC (Vol-I) dated 19/01/2022 in this regard.

The payment of Rs.37,343/- (Rupees thirty seven thousand three hundred & forty three only) of the compensatory levies has been transferred to Ad hoc CAMPA through PARIVESH e-portal duly generating E-CHALLAN on dated: 19.06.2023 and the payment of Rs.13,028/- (Rupees thirteen thousand & twenty eight only) against the Felling, logging and transportation of project affected trees has also been transferred in favour of Secretary, Forests and Environment Department, Govt. of Sikkim, Gangtok.

In this connection, the Compliance Report is herewith submitted for the grant of final approval of the proposed land in the favour of Central Water Commission.

भवदीय,

संलग्नक:- यथोक्त

शाश्वत राय) अधिशासी अभियंता

प्रतिलिपि सूचनार्थ हेतु: -

1. Superintending Engineer, Investigation Circle, CWC, Gangtok

Compliance Report

With reference to the above, as per your directions in reference (1) cited above, we are hereby submitting the point wise compliance report for the proposal of the diversion of **0.0116 Ha** of forest land in favour of Central Water Commission for installation of Automatic Data Acquisition & Real Time Data Transmission System through Satellite for Rainfall, Water Level & Snow Measurement at 11 nos. of locations namely:- 17th Mile Katao, Gurudongmar Lake, Yumesamdong, Dombang, Thangu, Yumthang Valley, Dombang Zero, Lachung, Samdong, Zema and Lachen in Mangan district of Sikkim.

Sl.No.	Stage-I Clearance Conditions	Compliance Report	Remarks	
1	Legal status of the forest land proposed for diversion shall remain unchanged.	Agreed	Undertaking-1 Enclosed	
2	Compensatory Afforestation shall be taken up by the Forest Department over 0.1 ha degraded forest land (Location-Chaten Khas & Lachung, Mangan (T) Range under North 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 nonnative species should be avoided.		Copy of payment receipt attached	
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-2 Enclosed	
4	User Agency shall restrict the felling of trees to minimum number which are unavoidable 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 by the User Agency with the State Forest Department.	Agreed	Undertaking-3 Enclosed	
5	The boundry 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.	Agreed	Undertaking-4 Enclosed	
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-5 Enclosed	
7	The lay out plan of the proposal shall not be changed without the prior approval of the Central Government.	Agreed	Undertaking-6 Enclosed	

	(a) All the natural streams and water bodies in surrounding area shall be protected.		
8	(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-7
	(c) Earth or any other material shall not be brought from the debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency.	Agreed Enclosed	
	(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 State Forest Department for conservation and development of natural resources of the State.		
	(a) The forest land shall not be used for any purpose other than that specified in the project proposal.		
0	(b) The period of diversion under this approval shall be coterminus with the period of the project life.	Agreed Undertakin	
9	(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	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-9 Enclosed

The Compliance Report is hereby submitted for your kind information.

Encloses:-As Above.

Yours Faithfully

Shashwat Rai Executive Engineer, SID, CWC, Gangtok.

Sikkim Investigation Division, Central Water Commission, Gangtok herby undertakes that the legal status of the forest land proposed for diversion will not be changed and it should remain unchanged.

Shashwat Rai

Executive Engineer,

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Beneficiary Name	PCCF CUTTING AND FELLING	SIKKIM CAMPA
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DDO Name Voucher Number/ Dete/Var Amount	IQJENG SENECUTIVE PNGINEER SIGGEN	FOUNDATION

Sikkim Investigation Division, Central Water Commission, Gangtok herby undertakes to pay the 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 from the Expert Committee.

Shashwat Rai

Executive Engineer,

Sikkim Investigation Division, Central Water Commission, Gangtok herby undertakes that the felling of trees will be restricted to the minimum number and those which are unavoidable in the diverted forest land, the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.

Shashwat Rain 10661 13

Executive Engineer, SID, CWC, Gangtok.

Sikkim Investigation Division, Central Water Commission, Gangtok herby undertakes that the demarcation of the proposed forest land for the installation of Automatic Data Acquisition & Real Time Data Transmission System through Satellite for Rainfall, Water Level & Snow Measurement at 11 nos. of locations in Mangan district of Sikkim, as per the directions of the concerned Divisional Forest Officer.

Shashwat Rai

Executive Engineer,

Sikkim Investigation Division, Central Water Commission, Gangtok herby undertakes that all the efforts will be taken for appropriate afforestation or vegetation enrichment measures for the installation of Automatic Data Acquisition & Real Time Data Transmission System through Satellite for Rainfall, Water Level & Snow Measurement at 11 nos. of locations in Mangan district of Sikkim, in consultation with the Forest Department at the project cost.

Shashwat Rai

Executive Engineer,

Sikkim Investigation Division, Central Water Commission, Gangtok herby undertakes that the layout plan of the proposal shall not be changed without the prior approval of the Central Government for the installation of Automatic Data Acquisition & Real Time Data Transmission System through Satellite for Rainfall, Water Level & Snow Measurement at 11 nos. of locations in Mangan district of Sikkim.

Shashwat Rai

Executive Engineer, SID, CWC, Gangtok.

Sikkim Investigation Division, Central Water Commission, Gangtok herby undertakes that all the natural streams, water bodies and wildlife (Flora and Fauna) shall be protected during the for the installation of Automatic Data Acquisition & Real Time Data Transmission System through Satellite for Rainfall, Water Level & Snow Measurement at 11 nos. of locations in Mangan district of Sikkim. To minimise the disturbances, the camp for labourers would be established outside the forest land and it is the responsibility of the user agency to provide the alternate fuels preferably LPG to the labourers and the staff to avoid any damage and pressure on the nearby forest areas.

Shashwat Rai

Executive Engineer,

Sikkim Investigation Division, Central Water Commission, Gangtok herby undertakes that the diverted forest land shall not be used for any other purpose other than the installation of Automatic Data Acquisition & Real Time Data Transmission System through Satellite for Rainfall, Water Level & Snow Measurement at 11 nos. of locations in Mangan district of Sikkim and the proposed forest land shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.

Shashwat Rai

Executive Engineer,

Sikkim Investigation Division, Central Water Commission, Gangtok herby undertakes that any other condition stipulated by the Ministry of Environment, Forest & Climate Change from time to time in the interest of conservation, protection and development of forests & wildlife shall be complied by the user agency for the installation of Automatic Data Acquisition & Real Time Data Transmission System through Satellite for Rainfall, Water Level & Snow Measurement at 11 nos. of locations in Mangan district of Sikkim.

Shashwat Rai

Executive Engineer,

Sikkim Investigation Division, Central Water Commission, Gangtok herby undertakes that it would not do any thing/activity which would violate the Forest (Conservation) Act, 1980 and action may 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 in the event of any violation.

Shashwat Rai

Executive Engineer,