



GOVERNMENT OF SIKKIM
OFFICE OF THE ADDL. CHIEF SECRETARY-cum-PCCF
FORESTS AND ENVIRONMENT DEPARTMENT
FOREST SECRETARIAT, DEORALI, GANGTOK-737 102
Email: fca.sikkim@gmail.com

Ref. No. 1999/FCA/F&ED/2022.....778.....

Dated: 20/12/2022

COMPLIANCE REPORT

To,

✓ The Inspector 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 2.394 Ha. of forest land for establishment of National Institute of Technology at Dung Dung Block, Khamdong in Gangtok District of Sikkim by Education Department, Govt. of Sikkim - Compliance Report reg.

Ref No. IRO/KOL/SK/Others/151941/244 dated 7th June 2022.

Madam,

Pursuant to the Stage I (In Principle) Approval accorded for the aforesaid project vide letter No. 1999/FCA/F&ED/60-63 dated 27.06.2022, the User Agency has complied with all conditions of the IPA by transferring fund of Compensatory levies and has furnished the requisite documents including undertakings. The same have been uploaded in Parivesh Portal.

Therefore, in view of fulfillment of conditions by the User Agency, the Compliance Report submitted by User Agency including undertakings, the proposal is submitted for kind consideration for according Final Approval under Section 2 of the Forest (Conservation) Act, 1980, please.

Yours sincerely,



Copy for information to:-

1. Addl. C.S.-cum-PCCF
2. CF(T)
3. DFO (Gangtok Territorial) for follow up n. a.
4. File

(Pradeep Kumar, IFS)
APCCF-cum-Nodal Officer (FCA)
Additional PCCF
Forest & Environment Deptt.
Govt. of Sikkim

Annexure-II

Information to be furnished about transmission of funds to CAMPA

1	Name of the User Agency and the Project	Education Department, Govt. of Sikkim- establishment of National Institute of Technology at Dung Dung Block, Khamdong in Gangtok District of Sikkim
2	Location of forest area diverted (State/Dist/Taluk/Village) Pl. also give log/lat details. If available.	Gangtok District of Sikkim.
3	Extent of forest area applied for, for diversion	2.394 Ha
4	Extent of forest area approved for diversion	2.394 Ha
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. 1999/FCA/F&ED/60-63 dated 27.06.2022
6	No. and date of Stage-I clearance (pl. attach copy)	No. IRO/KOL/SK/Others/151941/244 dated 7 th June 2022
7	No. and date of Stage-II clearance (pl. attach copy)	
8	Details of compensatory afforestation funds viz:	
	(i) Details of Compensatory Afforestation Fund.	16,71,991.00
	(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.	24,06,473.00
	(vii) Any other charges levied	0
	(viii) TOTAL OF (i) to (viii)	40,78,464.00
9	Date of collection of fund as in Sl. No. above, with:	30.11.2022
	(i) Authority by whom collected:	
	(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 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.	30.11.2022
10	Details of remittance of funds as in Col. 8 above to CAMPAs, indicating:	CA - Rs 16,71,991.00 NPV - Rs 24,06,473.00 Total – Rs. 40,78,464.00
	(i) Authority by whom remitted;	APCCF-cum-Nodal Officer (FCA)
	(ii) Bank, Branch to which remitted;	Corporation Bank, Lodhi 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 Ad hoc CAMPA on 30.11.2022 CA - Rs 16,71,991.00 NPV - Rs 24,06,473.00 Total – Rs. 40,78,464.00

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 Ad hoc CAMPA on 30.11.2022 CA - Rs 16,71,991.00 NPV - Rs 24,06,473.00 Total - Rs. 40,78,464.00
12	Any other details.	


 (Pradeep Kumar IFS),
 APCCF-cum-Nodal Officer (FCA)
 Additional Secy.
 Forest & Environment Deptt.
 Govt. of Sikkim



GOVERNMENT OF SIKKIM
EDUCATION DEPARTMENT
DIRECTORATE OF TECHNICAL EDUCATION
TASHILING, GANGTOK – 737103

No.GOS/DTE/2022/2034.

Dated 31 /10/2022

Shri Pradeep Kumar, IFS
Additional PCCF,
Forest & Environment Department
Government of Sikkim,
Deorali,
Gangtok District.

Sub : Diversion of 2.394 ha of forest land for Construction of National Institute of Technology Sikkim at Dung Dung, Khamdong block, Gangtok district

Sir,

Reference letter No. 1999/FCA/F&ED/59 dated 27/6/2022.

1. Please refer to letter under reference vide which In-principle approval under State-I of Forest Clearance was obtained alongwith Demand Note No. I, II & III for making necessary payment and compliance of stipulated conditions.
2. Accordingly, compliance are made and submitted as follows :

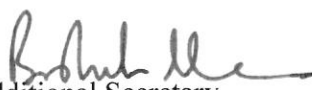
Sl No	Conditions to be fulfilled	Compliances
A. Conditions which need to be complied prior to handling over of forest land by the Forest Department		
1.	The cost of compensatory afforestation on the CA land (4.788 ha) at the prevailing wage rates as per compensatory afforestation scheme (Component A,B, C (II) in accordance of para 2.8.(iii) of Handbook of Forest (Conservation) Act, 1980 and Forest Conservation Rules, 2003) shall be deposited in advance with the State 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.	Total of Rs.46,29,690/- has been transferred (as mentioned in Demand Note. I, II and III) to Addl.CS-cum-PCCF, Forest Department through cheque bearing No. 356683 dated 21/10/2022 for Rs. 5,51,226/- and Cheque No. 356684 dated 21/10/2022 for Rs. 40,78,464/-
2	The State Government shall charge the Net Present Value (NPV) for the 2.394 ha forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP(C) No. 202/1995 and as per the guidelines issued by the Ministry vide letter No. 5-1/1998-FC(Pt.II)- dated 8/09/2003 as well as letter No. 5-3/2011-FC(vol-I) dated 19/01/2002 in this regard.	
3	All the funds received from the user agency under the	NA

	project shall be transferred/deposited to CAMPA fund only through e-portal (https://parvesh.nic.in).	
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 file of 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 would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of Comprehensive Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.	Agreed
7	The compliance report shall be uploaded on e-portal (https://parvesh.nic.in).	Agreed
B: Conditions which need to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department by the compliance in form of undertaking shall be submitted prior to Stage-II approval:		
1	Legal status of forest land proposed for diversion shall remain unchanged.	Will be complied in consultation with Forest Department
2	Compensatory afforestation shall be taken up by the Forest Department over 4.788 ha degraded forest land (Patrey & Alaichey Khasmal, Singtam (T) Range, under East Territorial Forest Division) at the cost of the user agency (1000 saplings per ha). In case 1000 saplings cannot be accommodated per ha in the DFL identified for CA, the balance seedlings will be planted in any RF/PF as per prescription of Working Plan. The State Government will intimate names of the RFs/PFs in which the balance seedlings will be planted. 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.	Action will be taken by Forest Department
3	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 State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	Agreed
4	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 by the User Agency with the State Forest Department.	Agreed
5	The boundary of the diverted forest land shall be suitable demarcated on ground at the project cost as per the direction of the concerned Divisional Forest Officer.	Will be complied in consultation with Forest Department
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 State Forest Department at the project cost.	Will be complied in consultation with Forest Department

	The blank areas shall be covered up with the plantation after the construction of the project.	
7	The lay out plan of the proposal shall not be changed without prior approval of the Central Government.	Will be complied in consultation with Forest Department
8	<p>(a) All the natural streams and water bodies in surrounding area shall be protected.</p> <p>(b) The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.</p> <p>(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.</p> <p>(d) No labour camp shall be established on the forest land.</p> <p>(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.</p>	Agreed
9	<p>(a) The forest land shall not be used for any purpose other than that specifies in the Project proposal.</p> <p>(b) The period of diversion under this approval shall be co-terminus with the period of the project life.</p> <p>(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.</p>	Agreed
10	<p>Any other conditions that the Ministry of Environment, Forest & Climate change may stipulate from time to time in the interest of conservation, protection and development of forest and wildlife.</p> <p>After receipt of the compliance report from the State Government regarding due compliance and fulfillment of the above conditions as stipulations, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. Transfer of forest land by the State Government to the user agency should be given effect to till formal order approving diversion of forest land is issued by the Central Government.</p>	Agreed

Yours sincerely,




Additional Secretary
Technical Education

Mrs. Bibhuti Pradhan, SCS
Additional Secretary
Technical Education
Education Department
Government of Sikkim



**GOVERNMENT OF SIKKIM
EDUCATION DEPARTMENT
DIRECTORATE OF TECHNICAL EDUCATION
TASHILING, GANGTOK - 737103**

No. 283/ACS/EDN

Dated: 31/10/22

CERTIFICATE OF UNDERTAKING

(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 (Conservation) Act, 1980 issued by the Ministry's letter No. 5-2/2017-FC dated 28.03.2019).

The Education Department give undertaking to accept the condition that (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 in prescribed format by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.394 Ha of Forest land for Construction of National Institute of Technology, Sikkim.

(R.Telang, IAS)

Additional Chief Secretary
R. Telang, IAS
Additional Chief Secretary
Education Department



GOVERNMENT OF SIKKIM
EDUCATION DEPARTMENT
DIRECTORATE OF TECHNICAL EDUCATION
TASHILING, GANGTOK – 737103

No. 282/ACS/EDN

Dated 31/10/2022

CERTIFICATE OF UNDERTAKING

(The period of diversion under this approval shall be co-terminus with the period of the project life)

The Education Department give undertaking to accept the condition that (the period of diversion under this approval shall be co-terminus with the period of the project life) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.394 Ha of Forest land in favour for Construction of National Institute of Technology at Dung Dung, Khamdong in Gangtok district.

Additional Chief Secretary

R. Telang, IAS
Additional Chief Secretary
Education Department