



**GOVERNMENT OF SIKKIM
URBAN DEVELOPMENT DEPARTMENT**

Ox No: 259/FCA/F
Date: 27/12/24

(153)

Memo No. 41/505/000/PLG/2024

Date:- 27.12.24

To. The APCCF-CUM -NODAL OFFICER (FCA)
Forest & Env Department
Forest Secretariate, Deorali, Sikkim
Govt of Sikkim,

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Oh
27/12

PROFF
R. Jansons
27/12

Subject: Proposal for diversion of 2 HA of forest land for construction of "Regional Sanitary Landfill facility at Mangan, North Sikkim by Urban Development Department.

Sir/madam,

- Please refer our office per letter no. SK/UDHD-70/2021/FC/314, dated 29/11/2021 and letter no. 1849/FCA/ F&ED/230, dated 6/12/2021 vide which in principal approval under stage – 1 of forest clearance was obtained along with demand note no. I, II, & IV for making necessary payment and compliance of stipulated conditions.
- Accordingly, compliance are made and submitted as follows: -

SL. No.	Condition to be fulfilled	Compliances
A. Condition which needs to be compiled prior to handing over of forest land by the forest department		
1	The User Agency shall transfer (Rs 29,30,397.00/- (Rupees twenty-nine lakh Thirty thousand Three hundred and ninety-seven only) and Rs. 740,940.00/- Rupees Seven Lakhs Forty Thousand Nine Hundred Forty only) for the cost of raising and maintain compensatory Afforestation (100 trees plantation and maintenance for the 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 & IV enclosed)	The amount of Rs. 29,30,397.00/- has been transferred (vide cheque No. 766772 dated 28.02.2023) as mentioned in demand note – I and Rs. 7,40,940.00/- has been transferred (vide cheque No. 974803 dated 10.12.2024) as mentioned in demand note IV to Ad hoc CAMPA through e-out of which Rs 15,32,397.00 has been transferred towards the cost of raising and maintain the compensatory Afforestation.

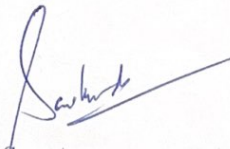
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2	<p>The User Agency shall transfer online, the Net Present Value (NPV) {RS13,98,000.00 for the 2.0 ha forest area to be diverted under the proposal, as per the order of the Hon'ble supreme Court of India dated 28,03.2022. 24.04.2008 and 09.05.2008 in IA No 566 in WP (C) no 202/1995 and the guidelines issued by the ministry vide letter no. 5-2/2006-rC dated 03.10.2006, 05-03 2007- FC dated 0s.02.2009 & letter no 5-32011- FC (vol-I) dated 19.01.2022 in this regard (demand note – I is enclosed)</p>	<p>The total of Rs.36,71,337 has been transferred (as mentioned in demand note – I to Ad hoc CAMPA through e-Challan (29,30,397.00/- vide cheque No. 766772 dated 28.02.2023V and 7,40,940.00/- vide cheque No. 974803 dated 10.12.2024) out of total amount Rs 21,38,940.00 has been transferred towards the NET present value.</p>
3	<p>The expenditure like felling, logging and transportation of project affected trees for Rs. 1,47,300.00 (Rupees One Lakhs Forty Seven Thousand Three hundred only) should be deposited at the rates approved by the state Govt. with the DFO concerns for utilization immediately following the diversion of the forest land. (Demand Note – II enclosed)</p>	<p>Complied and Fund already transferred/deposited vide Cheque no.766773 dated 28.02 2023 amounting to Rs.1,47,300.00 to Account no.(Deptt) 2811100147800103, beneficiaries Ac.No 100134029100112, beneficiaries Name Addl. CE Cum PCCF, Govt of Sikkim, F&E Deptt.</p>
4	<p>The expenditure for boundary demarcation of diverted forest land Rs. 93,510.00/- (Rupees Ninety-Three Thousand five hundred and ten only) should be transferred in favour of the Addl. Chief Secretary cum PCCF, Forests and Environment Department at the rates approved by the state Govt. immediately following the diversion of the forest land. (Demand Note – III enclosed)</p>	<p>Complied and Fund already transferred/deposited vide Cheque No. 974767 dated 09.12.2024 amounting to Rs. 93510.00/- (Rupees Ninety-Three Thousand five hundred and ten only)</p>
4	<p>All the funds received from the user agency under the project shall be transferred/ deposited CAMPA fund only through e- portal (https://parivesh/nic.in).</p>	<p>Complied and Fund already transferred/deposited</p>
5	<p>The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District collector</p>	<p>Complied</p>
6	<p>The user agency shall submit the complete geo-reference map (including KML) of the forest land proposed for diversion prior to issuance of stage -II approval</p>	<p>Agreed (undertaking enclosed)</p>
7	<p>Violation of any of this condition will amount to violation of Forest (conservation) Act, 1980 and chapter I of</p>	<p>Agreed (undertaking enclosed)</p>

	the Handbook of comprehensive guideline of Forest (conservation) Act, 1980 issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019	
8	The compliance report of the stage-I approval entry enumeration shall be uploaded on e-portal (https://parivesh/nic.in)	Compliance report uploaded on e-portal
B. Condition which needs to be strictly compiled on the field after handing over of forest land to the user agency by the Forest Department but the compliance in the 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	Compensatory Afforestation shall be taken up by the department over 4 ha. Degraded forest land (location – Ringdang Khasmal under Mangan Territorial range, north Sikkim) at the cost of the user agency. As far as possible, a mixture of local natives' species shall be planted and mono culture of any species, especially non-native species should be avoided.	Agreed (Undertaking Enclosed)
3	Additional amount 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 the effect.	Agreed (Undertaking Enclosed)
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 concern department and the cost of felling and of trees shall be deposited by the user agency.	Agreed (Undertaking Enclosed)
5	The boundary of the diverted forest land shall be suitable demarcated on ground at the project cost, as per the direction of the concern Divisional Forest Officer.	Agreed (Undertaking Enclosed)
6	The user agency shall raise strip plantation on both sides of the road if any, as per the norms.	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(a)	No labour camp should be established on the forest land.	Agreed (Undertaking Enclosed)
(b)	The user Agency shall provide alternate fuels preferably LPG to the labourers	Agreed (Undertaking Enclosed)

	and the staff working at the site so as to avoid any damaged and pressure on the nearby forest areas.	
(c)	No additional or new path will be constructed inside the forest area for any activity related to project work	Agreed (Undertaking Enclosed)
(d)	The muck debris and materials generated out of the construction, shall not be spilled down on slopes and be disposed of in the pre-determined area only	Agreed (Undertaking Enclosed)
(e)	There shall be no damage to surrounding forest, environment, wild life and natural resources	Agreed (Undertaking Enclosed)
(f)	All the natural streams and water bodies in surrounding area shall be protected.	Agreed (Undertaking Enclosed)
(g)	The user agency shall take necessary mitigative measures to prevent soil erosion in the area.	Agreed (Undertaking Enclosed)
9(a)	The period of diversion under this approval shall be co-terminus with the period of the project life.	Agreed (Undertaking Enclosed)
b	The forest land shall not be used for any purpose other than that specified in the project proposal.	Agreed (Undertaking Enclosed)
c	The forest land proposal 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 Minister of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & 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.

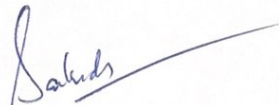

 Secretary
 Urban Development Department
 Govt. of Sikkim
 Gangtok

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Certificate of undertaking

Office of Secretary, Urban Development Department gives undertaking that the user agency shall submit the complete geo-reference map (including KML) of the forest land proposed for diversion prior to issuance of stage -II approval.

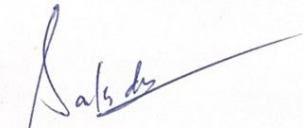


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(Violation of any of these conditions will amount to violation of Forest (conservation) act. 1980 and action shall be taken as prescribed in Para 1.21 of Chapter 1 of the handbook of comprehensive guidelines of Forest (Conservation) Act. 1980 issued by this Ministry's letter No. 5-2/2017-EC dated 28.03,2019)

Office of Secretary, Urban Development Department gives undertaking to accept the condition that (Violation of any of these condition 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 by the Department of Forest & Environment, Govt. of Sikkim for the diversion of Proposal for Diversion of 2 Ha of forest land for construction Solid Waste Treatment plant at Ringdang, Mangan district North Sikkim.

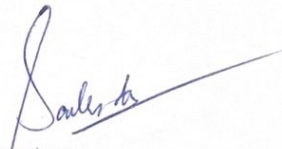


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Government of Sikkim, Gangtok

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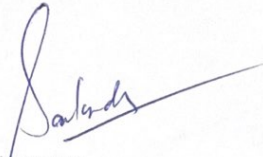
Office of Secretary, Urban Development Department gives under taking to accept that legal status of forest land shall remain unchanged.



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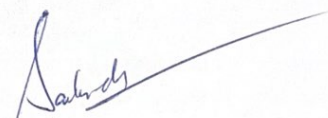
Office of Secretary, Urban Development Department gives under taking to accept the condition that additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by hon'ble Supreme court of India on receipt of the report from the expert committee, shall also be charged by the state Deptt. From the user agency.



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Certificate of undertaking

Office of Secretary, Urban Development Department gives undertaking that 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 concern department and the cost of felling and of trees shall be deposited by the user agency.



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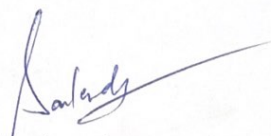
Office of Secretary, Urban Development Department gives undertaking that the user agency shall raise strip plantation on both sides of the road if any, as per the norms.



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Office of Secretary, Urban Development Department gives under taking that the layout plan of the proposal shall not be changed without the prior approval of the central Government.



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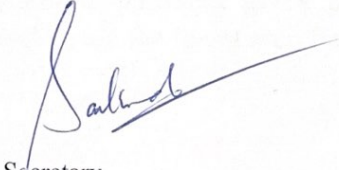
Office of Secretary, Urban Development Department gives undertaking that the no labour camps will be established on the forest land.



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Office of Secretary, Urban Development Department gives undertaking that the user agency shall provide alternate fuels preferably LPG to the labours and the staff working at the site so as to avoid any damaged and pressure on the nearby forest area.



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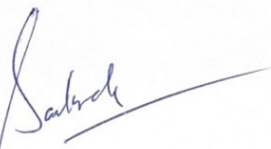
Office of Secretary, Urban Development Department gives undertaking that no additional or new path will be constructed inside the forest area for any activity related to project work.



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Certificate of undertaking

Office of Secretary, Urban Development Department gives undertaking that the muck debris and path will be constructed, shall not be spilled down on slopes and be disposed of in the pre-determined area only.



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Certificate of undertaking

Office of Secretary, Urban Development Department gives undertaking that there shall be no damage to surrounding forest, environment, wild life and natural resources.



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Certificate of undertaking

Office of Secretary, Urban Development Department gives undertaking that the all the natural streams and water bodies in surrounding area shall be protected.

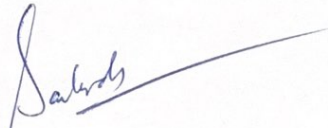


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Office of Secretary, Urban Development Department gives undertaking to accept that the user agency shall take necessary mitigative measures to prevent soil erosion in the area.



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Government of Sikkim, Gangtok

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Office of Secretary, Urban Development Department gives undertaking that the period of diversion under the approval shall be co-terminus with the period of the project life.



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Office of Secretary, Urban Development Department gives undertaking that the forest land proposal to diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of central government.



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Office of Secretary, Urban Development Department gives undertaking that any other condition that Ministry of Environment, forest & climate change may stipulate from time to time in the interest of conservation, protection and development of forests wildfire.



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