

No. NHIDCL/PMU-Gyalshing/Legship-Gyalshing/PKG-VI/2021-22/ 0677 Date: 14.12.2021

To,

The CF-cum- Nodal Officer (FCA),  
Forest & Env. Department  
Forest Secretariat, Deorali  
Govt. of Sikkim, Gangtok-737102.

**Sub:** Construction of 2-Lane Specification Road with Paved Shoulder as Re-alignment (Greenfield Alignment) of Existing Stretch between Legship to Gyalshing of NH-510 (Design Chainage from Km 75.000 to Km 90.210) under SARDP-NE Phase "A" on EPC Mode in the State of Sikkim-(Package-VI) Request for approval under Stage -II Forest Clearance-Reg.

**Ref:** -Letter no. 1956/FCA/F&ED/196, Dated: 11/10/2021.

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. No.	Conditions to be fulfilled	Compliances.
A.	Conditions which need to be complied prior to handling over of forest land by the State Forest Department.	
1.	The user Agency shall transfer [Rs. <b>45,29,448.00</b> (Rupees Forty five lakh Twenty-Nine thousand Four hundred Fort Eight)] the cost of raising and maintain the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	Rs. <b>38,83,810.00</b> has been transferred to Ad Hoc CAMPA through e-challan (UTR No. CNRBR52021121073208260). Out of the total amount of Rs. <b>38,83,810.00</b> , Rs. <b>16,18,534.00</b> has been transferred towards the cost of raising and maintain the compensatory Afforestation and Rs. <b>22,65,276.00</b> towards NET Present Value for the 2.6808 Ha of the forest land being diverted.
2.	The user Agency shall transfer online, the Net Present Value (NPV) [Rs.22,65,276.00 (Rupees Twenty Two lakh Sixty Five thousand Two hundred Seventy Six) only] for the 2.6808 ha of the forest land being 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. 5-3/2007-FC dated 05/02/2009. The requisite funds shall be transferred through online portal into the CAMPA account of the State concerned.	

3.	The expenditure like felling, logging and transportation of project affected trees [Rs. 6,45,638.00 (Rupees Six lakh Forty Five thousand Six hundred Thirty Eight) only] should be deposited in the cutting & felling account of the State Government for utilization immediately following the diversion of the forest land.	Rs.6,45,638.00 has been transferred/deposited in favour of the Addl. Chief Secretary-cum-PCCF, Forest and Environment Department, Govt. of Sikkim, Gangtok in saving account no. 100134029100112 IFSC Code No. IBKL0108SIC in Sikkim State Co-operative Bank Ltd, Gangtok Branch towards expenditure like felling, logging and transportation of project affected trees.
4.	All funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal ( <a href="http://parivesh.nic.in">http://parivesh.nic.in</a> ). Account deposited through other mode will not be accepted as compliance of the Stage-I clearance.	Fund already transferred/deposited.
5.	The concerned shall rectify the legal status of proposed diversion area in parivesh portal (part ii).	Agreed
6.	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 Ministry's letter No. 5-2/2017-FC dated 28.03.2019.	Not Applicable
7.	Comments from the Chief Wildlife Warden of the State will be required since the project site is 2.27 km away from Maenam Wildlife sanctuary.	Not Applicable
8.	The compliance report shall be uploaded on e-portal ( <a href="http://parivesh.nic.in">http://parivesh.nic.in</a> ).	Compliance report uploaded on e-portal.
B.	<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 but the compliance in form of undertaking shall be submitted prior to Stage-II approval.</b>	
1.	Legal status of the forest land shall remain unchanged.	Agreed
2.	Compensatory Afforestation shall be raised over double the area diverted i.e. 5.5 Ha in degraded forest land (location: Nambu RF, Birpunj, Gyalshing (T) Range, West 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 may be avoided.	Agreed
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 Enclosed



	undertaking to this effect.	
4.	The User Agency shall upload the forest Right Act (2006) certificate in PARIVESH before Stage II approval.	Already uploaded
5.	The user Agency shall upload the certificate of non-availability of non-forest land before Stage-II approval.	Already uploaded
6.	The User Agency shall restrict the felling of trees to minimum number in the diverted forest land the trees shall be felled under the strict supervision of the State Forest Department and the cost of the felling of trees shall be deposited by the user agency with the State Forest Department.	Agreed.
7.	The user agency in consultation with department prepare a detailed scheme for creation and maintenance of dwarf species (preferably medicinal plant) in right of way under transmission line for execution of said scheme to the concerned department.	Agreed.
8.	The user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid birds hits.	Agreed.
9.	The user agency shall comply with the guidelines for laying transmission through forest areas issued by the Ministry Vide letter No 7-25/2012 FC dated 05/05/2014.	Agreed.
10.	The boundary of the diverted forest shall be demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.	Agreed, the demarcation of the diverted land will be done at the project cost.
11.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Agreed
12(a)	No labour camp shall be established on the forest land.	Agreed
(b)	The User Agency shall provide alternate fuel preferably LPG to the Laborers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.	Agreed
(c)	No additional or new path will be constructed inside the forest area for any activity related to the project work.	Agreed
(d)	The muck, debris and materials generated out the construction, shall not be spilled down on slopes and be disposed off in the predetermined area only.	Agreed
(e)	There shall be no damage to surrounding forests, environment, wildlife & natural resources.	Agreed
(f)	All the natural streams and water bodies in surrounding area shall be protected.	Agreed

(g)	The user agency shall take necessary mitigative measures to prevent soil erosion in the area.	Agreed
13 (a).	The period of diversion under this approval shall be co-terminus with the period project life.	Not Applicable
(b).	The forest land shall not be used for any purpose other than that specified in the project proposal.	Agreed
(c).	The forest land proposed to be diverted shall under no circumstance be transferred to any other agencies department or person without prior approval of the Central Government.	Agreed
14.	Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time to time in the interest of Afforestation, conversation, protection and development of forest & wildlife.	Agreed

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.

  
 (A K Singh)  
 General Manager (P)

**Copy to:**

- (i) The Executive Director (P), NHIDCL, RO-Sikkim.
- (ii) Guard File.



**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.1956/FCA/F&ED/..367.

Date 05 / 07 / 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 2.6808 Ha of forest land for construction of 2 lane specification road with paved shoulder and re-alignment of existing road between Legship to Gyalshing of NH-510 in Gyalshing district of Sikkim (from Km 75.000 to Km 90.210) under SARDP-NE Phase "A" (Package VI) by NHIDCL - Compliance report reg.**

Ref. Letter No. SK/ROAD-58/2021/FC/232, dated 29.09.2021

Madam,

Pursuant to the conditions of the Stage I (In Principle) approval accorded for the aforesaid project proposal, the User Agency has fulfilled the compliance of conditions by transferring fund of Compensatory levies and furnished the requisite documents, which are as follows: -

Sl. No.	Conditions	Compliance
(1)	The cost of compensatory afforestation on the CA land (5.5 ha) at the prevailing wage rate as per compensatory Afforestation scheme (including the cost of survey, demarcation and erection of permanent pillars etc. as required for securing the land against encroachment) shall be deposited in advance with Forest Department by the project Authority. The CA will be maintained for 10 years	Complied and deposited Rs. <b>16,18,534.00</b> through payment Ref UTR No. CNRBR52021121073208260 dated 10.12.2021.
(2)	The User Agency shall transfer online Net Present Value (NPV) for the 2.6808 ha forest area to be diverted under this proposal, 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 in this regard.	Complied and deposited Rs. <b>22,65,276.00</b> through payment Ref UTR No. CNRBR52021121073208260 dated 10.12.2021
(3)	The expenditure like felling, logging and transportation of project affected trees should be deposited at the rates approved by the State Govt. with the DFO concerned for utilization immediately following the diversion of the forest land.	Complied and deposited Rs. <b>6,45,638.00</b> to SISCO Bank Ltd. Gangtok Branch vide Acc. No. 100134029100112 IFSC IBKL0108SIC, Ref UTR No. CNRBR52021121073208912 dated 10.12.2021.




(4)	All funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal ( <a href="https://parivesh.nic.in">https://parivesh.nic.in</a> ).	Fund already transferred/deposited.
(5)	The concerned division shall rectify the Legal Status of proposed diversion area in PARIVESH portal (part II)	
(6)	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.	Not applicable
(7)	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in">https://parivesh.nic.in</a> ).	Agreed.
(8)	Legal status of the forest land shall remain unchanged.	Agreed
(9)	Compensatory Afforestation shall be taken up by the Department over 5.5 ha. in degraded forest land (Location-nambu RF, Birpung, Gyalshing Range, West Territorial 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.	Undertaking submitted.
(10)	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	Undertaking submitted.
(11)	User Agency shall upload the Forest Right Act (2006) certificate in PARIVESH before Stage-II Approval.	Already uploaded
(12)	The User Agency shall upload the certificate of non-availability of non-forest land before Stage II approval.	Already uploaded
(13)	The User Agency shall raise strip (Avenue) plantation with bamboo basket on both side of the road as per IRC norms	Complied and deposited Rs. 1,34,059.00 through payment Ref UTR No. P165220174478828 to Ad hoc CAMPA dated 14.06.2022.
(14)	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 concerned Department and the cost of felling of trees shall be deposited by the user agency.	Agreed and undertaking for the same is submitted accordingly.
(15)	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.	Undertaking submitted.
(16)	The layout plan of the proposal shall not be changed without prior approval of the Central Government.	Undertaking submitted.
(17)	(a) No labour camp shall be established on the forest land.	Undertaking submitted.
	(b) The User agency shall provide alternate fuel 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.	Undertaking submitted.

	(c) No additional or new path will be constructed inside the forest area for any activity related to the project work.	Undertaking submitted.
	(d) The muck, debris and materials generated out the construction, shall not be spilled down on slopes and be disposed off in the predetermined area only.	Undertaking submitted.
	(e) There shall be no damage to surrounding forests, environment, wildlife & natural resources.	Undertaking submitted.
	(f) All the natural streams and water bodies in surrounding area shall be protected.	Undertaking submitted.
	(g) The user agency shall take necessary mitigative measures to prevent soil erosion in the area.	Undertaking submitted.
(18)	a) The period of diversion under this approval shall be co-terminus with the period project life.	Undertaking submitted.
	b) The forest land shall not be used for any purpose other than that specified in the project proposal.	Undertaking submitted.
	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 the Central Government.	Undertaking submitted.
(19)	Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of afforestation, conservation, protection and development of forests & wildlife.	Undertaking submitted.

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

Yours faithfully,

  
 (Pradeep Kumar, IFS),  
 APJCA Team-Nodal Office (CA)  
**PRADEEP KUMAR, IFS**  
**ADDITIONAL FC**  
**FOREST & ENV DEPTT.**  
**GOVERNMENT OF SIKKIM**

Copy to:

- |                                                                                                   |                       |
|---------------------------------------------------------------------------------------------------|-----------------------|
| 1. The General Manager<br>NHIDCL PMU-Gyalshing,<br>8 <sup>th</sup> Mile, Geyzing district, Sikkim | : For information, pl |
| 2. CF (T), Gangtok.                                                                               | : For information.    |
| 3. DFO (T) Gyalshing Division                                                                     | : -do-                |
| 4. File                                                                                           |                       |




## Annexure-II

Information to be furnished about transmission of funds to CAMPA

1	Name of the User Agency and the Project	NHIDCL construction of 2 lane specification road with paved shoulder and re-alignment of existing stretch of road between Legship to Gyalshing of NH-510 in Gyalshing District (from Km 75.00 to Km 90.210) Package VI
2	Location of forest area diverted (State/Distt/Taluk/Village) Pl. also give log/lat details. If available.	Gyalshing district of Sikkim
3	Extent of forest area applied for, for diversion	2.6808 Ha
4	Extent of forest area approved for diversion	2.6808 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. 1956/FCA/F&ED/352, date 24/06/2021
6	No. and date of Stage-I clearance (pl. attach copy)	No. SK/ROAD-58/2021/FC/232 dated 29.09.2021.
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. 16,18,534.00
	(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. 22,65,276.00
	(vii) Any other charges levied (pl. specify)	Rs. 1,34,059.00 (Avenue plantation)
	(viii) TOTAL OF (i) to (viii)	Rs. 40,17,869.00
9	Date of collection of fund as in Sl. No. above, with:	10.12. 2021 & 14.06.2022
	(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.	Union Bank of India, 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.	10.12. 2021 & 14.06.2022



10	Details of remittance of funds as in Col. 8 above to CAMPA, indicating:	CA - Rs. 16,18,534 .00 NPV - Rs. 22,65,276 .00 Others - Rs. 1,34,059.00 Total - Rs. 40,17,869.00
	(i) Authority by whom remitted;	APCCF-cum-Nodal Officer (FCA)
	(ii) Bank, Branch to which remitted;	Union Bank of India, 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 10.12.2021 & 14.06.2022 CA - Rs. 16,18,534 .00 NPV - Rs. 22,65,276 .00 Others - Rs. 1,34,059.00 Total - Rs. 40,17,869.00
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 10.12.2021 & 14.06.2022 CA - Rs. 16,18,534 .00 NPV - Rs. 22,65,276 .00 Others - Rs. 1,34,059.00 Total - Rs. 40,17,869.00
12	Any other details.	Acknowledgement is enclosed for reference.

  
**PRADEEP KUMAR, IAS**  
APCCF-cum-Nodal Officer (FCA)  
FOREST & ENV DEPTT.  
GOVERNMENT OF SIKKIM

## Undertaking

This is to certify that no labour camp shall be established on the forest land under package VI of NH-510 under forest diversion proposal in package VI of NH-510.

  
(A K Singh)

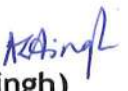
General Manager (P)

**Arbind Kumar Singh**  
**General Manager (P)**  
National Highways & Infrastructure Development Corporation Ltd.  
(Under Ministry of Road Transport & Highways)  
Government of India



## Undertaking

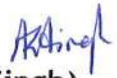
This is to certify that boundary of the diverted forest shall be suitably demarcated on ground at project cost, as per the directions of the concerned Divisional Forest Officer under forest diversion proposal in package VI of NH-510.

  
(A K Singh)  
General Manager (P)



## Undertaking

This is to certify that Layout plan of the proposal shall not be changed without the prior approval of the Central Government under forest diversion proposal in package VI of NH-510.



(A K Singh)

General Manager (P)

**Arbind Kumar Singh**  
**General Manager (P)**

National Highways & Infrastructure Development Corporation Ltd.  
(Under Ministry of Road Transport & Highways)  
Government of India



## Undertaking

This is to certify that the User Agency shall provide alternate fuel 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 under forest diversion proposal in package VI of NH-510.

  
(A K Singh)

General Manager (P)

**Arbind Kumar Singh**  
**General Manager (P)**

National Highways & Infrastructure Development Corporation Ltd.  
(Under Ministry of Road Transport & Highways)  
Government of India

## Undertaking

This is to certify that no additional or new path will be constructed inside the forest area for any activity related to the project work under forest diversion proposal in package VI of NH-510.

  
(A K Singh)

General Manager (P)





## Undertaking

This is to certify that the muck, debris and materials generated out the construction, shall not be spilled down on slopes and be disposed off in the predetermined area only under forest diversion proposal in package VI of NH-510.

  
(A K Singh)  
General Manager (P)  


## Undertaking

This is to certify that there shall be no damage to surrounding forests, environment, wildlife & natural resources under forest diversion proposal in package VI of NH-510.

*A.K. Singh*

**(A K Singh)**

General Manager (P)



## Undertaking

This is to certify that all the natural streams and water bodies in surrounding area shall be protected under forest diversion proposal in package VI of NH-510.

  
(A K Singh)

General Manager (P)

**Arbind Kumar Singh**  
**General Manager (P)**  
National Highways & Infrastructure Development Corporation Ltd.  
(Under Ministry of Road Transport & Highways)  
Government of India



## Undertaking

This is to certify that the user agency shall take necessary mitigative measures to prevent soil erosion in the area under forest diversion proposal in package VI of NH-510

  
(A K Singh)

General Manager (P)



## 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 proposal in package VI of NH-510

  
(A K Singh)

General Manager (P)

**Arbind Kumar Singh**  
**General Manager (P)**

National Highways & Infrastructure Development Corporation Ltd.  
(Under Ministry of Road Transport & Highways)  
Government of India

## Undertaking

This is to certify that the forest land shall not be used for any purpose other than that specified in the project proposal under forest diversion proposal in package VI of NH-510



(A K Singh)

General Manager (P)





## 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 persons without prior approval of the Central Government under forest diversion proposal in package VI of NH-510.



(A K Singh)

General Manager (P)

