



**GOVERNMENT OF SIKKIM**  
**FORESTS AND ENVIRONMENT DEPARTMENT**  
**FOREST SECRETARIAT, DEORALI, GANGTOK-737 102**  
*Email:fca.sikkim@gmail.com*

Ref. No. 1824/FCA/F&ED/5077.....

Dated: 23/11/2023

**COMPLIANCE REPORT**

To,

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

**Sub: Proposal for diversion of 7.838 Ha of Forest Land for construction of road (4.31 Km) from Kerang to OP Dorjila under Lachen (T) Range in North District of Sikkim for Indo Tibetan Border Police Force (ITBP) by CPWD - Compliance report reg.**

Ref. Letter No. 1824/FCA/F&ED/27-30 dated 21.05.2023.

Sir,

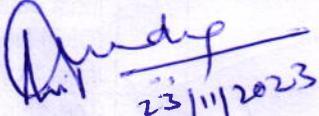
Pursuant to the Stage I (In Principle) approval accorded for the aforesaid project proposal, the User Agency has complied to all conditions by transferring fund of Compensatory levies and furnished the requisite documents, which are as follows :-

Sl. No.	Conditions	Compliance
1	The User Agency shall deposit the cost for Compensatory Afforestation (Block Plantation) over 7.838 ha identified at Kerang to OP Dorjila under Lachen (T) Range under North (Territorial) Division.	The user agency has complied and deposited <b>Rs. 84,80,736.00</b> through <b>NEFT/RTGS Challan.</b>
2	The User Agency shall pay and transfer the payment for Net Present Value (NPV) of the forest land being diverted for the project 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 Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide letter No. 5-3/2007-FC dated 05/02/2009 in this regard.	The user agency has complied and deposited <b>Rs. 83,82,506.00</b> through <b>NEFT/RTGS Challan.</b>
3	The User Agency shall pay and transfer the payment for Net Present Value (NPV) of the forest land being diverted for the project 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 Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide letter No. 5-3/2007-FC dated 05/02/2009 in this regard.	The user agency has submitted undertaking (Annexure-I).
4	All the above funds under the project towards compensatory leveies (CA and NPV, etc) shall be transferred/deposited in the Sikkim Compensatory Afforestation Fund (SCAF) through Demand Draft/Cheque in favour of PCCF-cum-Principal Secretary, Forest & Environment Govt. of Sikkim.	Total of <b>Rs. 1,68,63,242.00</b> deposited through <b>NEFT/RTGS Challan for Ad-Hoc CAMPA by the user agency.</b>

5	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.	The user agency has deposited Rs. 9,19,968.00 in SISCO, Bank.
6	No labour camp shall be established on the forest land.	The user agency has submitted undertaking (Annexure-II).
7	The charges for felling, logging and transportation of project affected trees shall be paid by the User Agency at the rates approved by the State Govt. and deposited separately in favour of the Principal PCCF-cum-Pr. Secretary, Forests Environment & Wildlife Management Department Govt of Sikkim, Gangtok.	The user agency has deposited Rs. 84,213.00 in SISCO, Bank.
8	The expenditure like boundary walls, stone pillars, demarcation charges, cost of damage of trees the funds on these account should, be deposited with the DFO concerned.	The user agency has submitted undertaking (Annexure-III).
9	The user agency shall identify muck disposal site and prepare Muck Disposal Management Plan to be approved/agreed by the State Govt. for the aforesaid project proposal if required.	The user agency has submitted undertaking along with muck disposal map (Annexure-IV).
10	The user Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, before consideration of final approval, if required.	There is exemption of Environmental Clearance for Roads to be constructed in Border Areas along Indo-China Border (Annexure-V).
11	The user agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulder in forest land, if necessary.	The user agency has submitted undertaking (Annexure-VI).
12	As per Ministry's letter No.11-30/96-FC (Pt) dated 14.09.2001, if the compliance of stipulated conditions is awaited from the State Government for more than 5(five) years the in-principle approval would summarily be revoked considering that the user agency is no longer interested in the project.	The user agency has submitted undertaking. (Annexure-VII).
13	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).	Complied.

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

Yours faithfully,

  
23/11/2023

(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.

Copy to for information:-

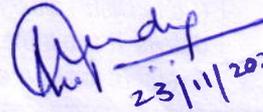
1. Secretary, F&ED, GoS
2. CF(T)
3. DFO (Territorial) Mangan & follow up n. a.
4. File

**Annexure-II**

**Information to be furnished about transmission of funds to CAMPA**

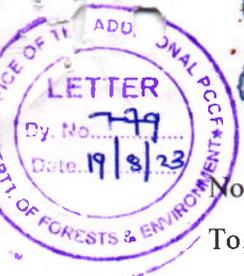
1	Name of the User Agency and the Project	<b>CPWD- construction of road (4.31 Km) from Kerang to OP Dorjila under Lachen (T) Range in North District of Sikkim</b>
2	Location of forest area diverted (State/Distt/Taluk/Village) Pl. also give log/lat details. If available.	<b>Mangan District of Sikkim.</b>
3	Extent of forest area applied for, for diversion	<b>7.838 Ha</b>
4	Extent of forest area approved for diversion	<b>7.838 Ha</b>
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)	<b>No. 1824/FCA/F&amp;ED/27-30 dated 21.05.2023</b>
6	No. and date of Stage-I clearance (pl. attach copy)	
7	No. and date of Stage-II clearance (pl. attach copy)	
8	Details of compensatory afforestation funds viz:	
	(i) Details of Compensatory Afforestation Fund.	<b>Rs. 84,80,736.00</b>
	(ii) Additional Compensatory Afforestation Fund.	<b>0</b>
	(iii) Penal Compensatory Afforestation Fund.	<b>0</b>
	(iv) Catchment Area Treatment Plan Fund.	<b>0</b>
	(v) Fund for Protected Area.	<b>0</b>
	(vi) Net Present Value.	<b>Rs. 83,82,506.00</b>
	(vii) Any other charges levied (pl. specify)	<b>0</b>
	(viii) TOTAL OF (i) to (viii)	<b>Rs. 1,68,63,242.00</b>
9	Date of collection of fund as in Sl. No. above, with:	<b>03.06.2023</b>
	(i) Authority by whom collected:	<b>Sikkim CAMPA</b>
	(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.	<b>Corporation Bank, Lodhi Branch, Block No. 11, CGO Complex, Phase – I, Lodhi Road, New Delhi – 110 003.</b>
	(iii) Date of remittance to Govt. account, indicating Account No., Bank and Branch details.	<b>03.06.2023</b>
10	Details of remittance of funds as in Col. 8 above to CAMPA, indicating:	<b>CA - Rs. 84,80,736.00 NPV - Rs. 83,82,506.00 Total - Rs. 1,68,63,242.00</b>
	(i) Authority by whom remitted;	<b>APCCF-cum-Nodal Officer (FCA)</b>
	(ii) Bank, Branch to which remitted;	<b>Corporation Bank, Lodhi Branch, Block No. 11, CGO Complex, Phase – I, Lodhi Road, New Delhi – 110 003.</b>
	(iii) Mode of remittance (Draft/Pay Order/RTGS) with full particulars, including amount and date of remittance.	<b>NEFT/RTGS CHALLAN for Ad hoc CAMPA on 03.06.2023 CA - Rs. 84,80,736.00 NPV - Rs. 83,82,506.00 Total - Rs. 1,68,63,242.00</b>

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.	<b>NEFT/RTGS CHALLAN for Ad hoc CAMPA on 03.06.2023</b> <b>CA - Rs. 84,80,736.00</b> <b>NPV - Rs. 83,82,506.00</b> <b>Total - Rs. 1,68,63,242.00</b>
12	Any other details.	Copy of Challan is enclosed for ready reference.

  
23/11/2023

(Brijendra Swaroop, IFS),  
APCCF-cum-Nodal Officer (FCA),  
Brijendra Swaroop, IFS,  
APCCF, Env. & S.C., SBFP,  
SF, Ping, M&E,  
Forests & Environment Department  
Government of Sikkim.

BY POST/MAIL



भारत सरकार  
केन्द्रीय लोक निर्माण विभाग  
कार्यालय कार्यपालक अभियंता  
सीमा सड़ कपरियोजना मंडल-I  
एस० टी० लामा बिल्डिंग, तीसरी मंजिल  
चुंगथांग, उत्तर सिक्किम - 737120  
E-MAIL: [eccdsikkim@gmail.com](mailto:eccdsikkim@gmail.com), [chueeccd1.cpwd@nic.in](mailto:chueeccd1.cpwd@nic.in)  
\*\*\*

Government of India  
Central Public Works Department  
O/o Executive Engineer  
Border Road Project Division-I  
S. T. Lama Building, 3rd Floor  
Chungthang, North Sikkim - 737120.  
\*\*\*



99

No. 23(7)/Forest/EE/BRPD-I/NS/2023/ 260

Date: 16/08/2023

To,

The APCCF-cum-Nodal Officer (FCA),  
Forest Environment and Wildlife Management Department,  
Forest Secretariat, Govt. of Sikkim,  
Deorali, Gangtok, East Sikkim - 737102.  
E-mail: [fca.sikkim@gmail.com](mailto:fca.sikkim@gmail.com)

ADCPAS  
19/08/2023

**Subject:** Proposal for diversion of 7.838 Ha of Forest Land for Construction of road (4.31 km) from Kerang to OP Dorjila under Lahen (T) Range in North District of Sikkim for Indo Tibetan Border Police Force (ITBP) by CPWD.- **Regarding Compliance of Stage-I (IPA) & issue of Stage-II Final Approval under Forest Conservation Act 1980.**

**Ref.:** (i) CCF (FCA), Gangtok office Letter No. 1824/FCA/F&ED/29 Dt.21.05.2020.  
(ii) APCCF (FCA), Gangtok office Letter No. 1824/FCA/F&ED/2019/29 Dt.29.03.2023.

Sir,

- (i) Please refer the aforesaid letter vide which Stage-I In-principle approval under section 2 of the Forest (Conservation) Act, 1980 for the above diversion was issued, along with Demand Note-I & II for making necessary payment and compliance of stipulated conditions was asked.
- (ii) Accordingly, compliances are made and submitted as follows.

Sl. No.	Conditions to be fulfilled	Compliances
1.	The User Agency shall deposit the cost Rs. 61,35,686.00 (Rupees Sixty One Lakhs Thirty Five Thousand Six Hundred and Eighty Six) only for Compensatory Afforestation (Block Plantation) over 7.838 ha. identified at Kerang to OP Dorjila under Lachen (T) Range under North (Territorial) Division.	The cost of Rs. 84,80,736/- (Rupees Eighty Four Lakhs Eighty Thousand Seven Hundred and Thirty Six) only for <b>Revised</b> Compensatory Afforestation scheme, was transferred in the bank A/C of SIKKIM CAMPA, through online system vide PFMS Transaction ID No. S052303098657 dated 02.06.2023 (UTR NO. SBINR52023060313087302), Photocopy of the transaction is annexed as <b>Annexure-A</b> .
2.	The User Agency shall pay and transfer the payment of Rs. 54,78,762.00 (Rupees Fifty Four Lakhs Seventy Eight Thousand Seven Hundred and Sixty Two) only for Net Present Value (NPV) of the forest land being diverted for the project proposal as per Order of the Hon'ble Supreme Court of India	The cost of Rs. 83,82,506.00 (Rupees Eighty Three Lakhs Eighty Two Thousand Five Hundred and Six) only for <b>Revised</b> Net Present Value (NPV) of the forest land was transferred in the bank A/C of SIKKIM CAMPA, through online system vide PFMS Transaction ID No. S052303098657

LDC-IV  
23/8/22

PROFESSOR  
23/8/22

OS  
The branch &  
process. J. J. 23/8/22

	dated 28/03/2008, 24/04/2008 and 09/05/2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide letter No.5-3/2007-FC dated 05/02/2009 in this regard.	dated 02.06.2023 (UTR NO. SBINR52023060313087302), Photocopy of the transaction is annexed as <b>Annexure-A</b> .
3.	At the time of payment of the Net present Value (NPV) at the present rate the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per final decision of the same by Hon'ble Supreme Court of India.	Agreed & Undertaking Enclosed in <b>Annexure-B</b>
4.	All the above funds under the project towards compensatory levies (CA and NPV, etc) shall be transferred/deposited in the Sikkim Compensatory Afforestation Fund (SCAF) through Demand Draft/Cheque in favour of PCCF-cum-Principal Secretary, Forest & Environment Govt. of Sikkim.	Agreed and Funds are already transferred/deposited through online system to the a/c of Sikkim Campa.
5.	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.	Agreed
6.	No labour camp shall be established on forest land.	Agreed
7.	The charges for felling, logging and transportation of project affected trees for Rs. 84,213.00 (Rupees eighty four thousand two hundred and thirteen) only shall be paid by the User Agency at the rates approved by State Govt. and deposited separately in favour of the Principal PCCF-cum-Pr. Secretary, Forests Environment & Wildlife Management Department Govt of Sikkim, Gangtok.	The cost of Rs. 84,213/- (Rupees Eighty Four Thousand Two Hundred Thirteen only) was transferred in the bank A/C of Addl. Chief Secretary, Forests and Environment Department, Govt. of Sikkim, Gangtok through online system vide PFMS Transaction ID No. S052303161212 dated 02.06.2023. (UTR NO. SBINR52023060313087301), for felling, logging and transportation of project affected trees. Photocopy of the transaction is annexed as <b>Annexure-A</b> .
8.	The expenditure link boundary walls, stone pillars, demarcation charges, cost of damage of trees the funds on these account should, be deposited with the DFO concerned.	The cost of Rs. 9,19,968/- (Rupees Nine Lakhs Nineteen Thousand Nine Hundred Sixty Eight only) was transferred in the bank A/C of Addl. Chief Secretary, Forests and Environment Department, Govt. of Sikkim, Gangtok through online system vide PFMS Transaction ID No. S052303161212 dated 02.06.2023. (UTR NO.

		SBINR52023060313087301), for Cost of Boundary Demarcation of Diverted forest land (if applicable). Photocopy of the transaction is annexed as <b>Annexure-A</b>
9.	The user agency shall indentify muck disposal site and prepare Muck Disposal Management Plan to be approved/agreed by the State Govt. for the aforesaid project proposal if required.	Agreed and the muck disposal site along with muck disposal management plan, approved by concerned DFO was already submitted in Forest Clearance Proposal.
10.	The user Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, before consideration of final approval, if required.	The above proposal is exempted from the Environmental Clearance as per the letter of Govt. Of India, Ministry of Environment, Forest and Climate Change (IA Division) vide F.no. J-14013/38/2019-IA.I(D)DI. 28thAugust 2020, Attached in <b>Annexure-C</b> .
11.	The user agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulder in forest land, if necessary.	Agreed
12.	As per Ministry's letter No.11-30/96-FC (Pt) dated 14.09.2001, if the compliance of stipulated conditions is awaited from the state Government for more than 5(five) years the in-principle approval would summarily be revoked considering that user agency is no longer interested in the project.	Agreed
13.	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).

(iii) Furthermore the working permission for the above diversion was granted from APCC-cum-Nodal Officer, F&ED, Govt. of Sikkim vide letter no. 1824/FCA/F&ED/2020/3010 Dt. 03.07.2023 for the tree cutting and commencement of work in the proposed forest land **FOR ONE YEAR**.

(iv) Therefore, in view of above and also to avoid any hindrances in future you are requested to take necessary action for onward submission of compliance report to Ministry of Environment, Forest & Climate Change, Govt. of India for seeking Stage-II, Final Approval under Forest (Conservation) Act, 1980 for the above road as nothing is pending from the user agency on priority please.

Thanking you.

(Shiv Charan Lal Meena)  
Executive Engineer

Executive Engineer  
BRPD-I, CPWD, Chungthang  
North Sikkim

(Annexure - A)

Ministry :	030 - Ministry of Housing and Urban Affairs	Grant:	- All -
PAO:	043460 - PAO(East Zone) CPWD,Kolkata	DDO:	103256 - Executive Engineer, Chungthang Central Central Division,
Period:	01-06-2023 till 30-06-2023	Figures In:	Actuals
External Source:	-All-	IEC Code	

Sr. No.	Sanction No.	Bill No.	Sanction Amount	Beneficiary Account No.	Beneficiary Amount	Beneficiary Name	IFSC Code	Accredited Bank	PFMS Transaction Id	PAO/CDDO DSC date & Time Stamp	Scroll Date	UTR No. (Bank Transaction Id)
9	FOREST/SIKKIM/MUGUTHANG-	CP00000036	63,392,365.00	1508661124229931	63,392,365.00	SIKKIM CAMPA	UBIN0996335	STATE BANK OF INDIA	S052303877015	02-06-2023 20:06:34	03-06-2023	SBINR52023060313087309
10	FOREST/SIKKIM/KERANG-OP	CP00000037	16,863,242.00	150866136660264	16,863,242.00	SIKKIM CAMPA 7.838Ha	UBIN0996335	STATE BANK OF INDIA	S052303098657	02-06-2023 20:06:34	03-06-2023	SBINR52023060313087302
11	FOREST/SIKKIM/KERANG-	CP00000039	1,004,181.00	100134029100112	1,004,181.00	ADDL CHIEF SECRETARY	IBKL0108SIC	STATE BANK OF INDIA	S052303161212	02-06-2023 20:06:34	03-06-2023	SBINR52023060313087301
12	FOREST/SIKKIM/MUGUHANG-	CP00000038	47,353,761.00	100134029100112	47,353,761.00	ADDL CHIEF SECRETARY	IBKL0108SIC	STATE BANK OF INDIA	S052303454187	02-06-2023 20:06:34	03-06-2023	SBINR52023060313087308

  
16/8/23  
Executive Engineer  
BRD-I, CPWD, Chungthang  
North Sikkim



(Annexure - C)  
**ANNEXURE V**  
103

SPEED POST

**F. No. J-14013/38/2019-IA.I (D)**

Government of India

Ministry of Environment, Forest and Climate Change

(IA Division)

Indira Paryavaran Bhawan,  
Jor Bagh Road, New Delhi-110 003

E-Mail: shruti.rai@nic.in

**Dated: 28<sup>th</sup> August, 2020**

**Subject: Exemption of Environmental Clearance for Roads to be constructed in Border Areas along Indo-China Border- reg**

This is in reference to the communications No.23(1)/EE/ICBRPD/CPWD/2020-21/24 dated 09.06.2020; no. 23(7)/A/Forest/EE/BPRD-1/NS/2020/107 dated 08.06.2020v; no. 54(H)/ICBRPH-11/SSM/Srinagar/2020-21 dated 11.06.2020; and no. 23(9)/CPM/ICBRPZ/2019-20/04 dated 29.06.2020 from CPWD, Guwahati; CPWD, North Sikkim; Seema Sadak Mandal, Uttarakhand; and CPWD, New Delhi, respectively with reference to the above cited subject. The matter has been taken up for technical deliberations during the 41<sup>st</sup> Environment Appraisal Committee (Nuclear & Defence) (EAC(N&D)) meeting held on 15.07.2020 and examined in detail within the Ministry.

2. As part of the presentation and various other documents submitted to the Ministry, the Project Proponents submitted following information about the project and project site:

- (i) All the communications pertain to common issue of construction of lateral roads alongside Indo-China Border for Indo-Tibetan Border Police (ITBP) in various States sharing border with China.
- (ii) Clarification has been sought with respect to the need of Environmental Clearance (EC) for these border roads, being constructed for urgent defence and strategic purpose.
- (iii) Project proponents have concluded that these border project for the construction of lateral roads along Indo-China Border under Phase -II in these states does not require any Environment Clearance as per the notification no. SO 1119(E) dated 13<sup>th</sup> December 2000 issued with reference to EIA Notification, 1994.
- (iv) **These are neither Rural roads nor state Highway (SH) and National Highway (NH), hence it does not fall under the purview of EIA Notification 2006 (Item 7 (f) of schedule).**

(v) Ministry of Environment, Forest and Climate Change has made an amendment vide notification no. SO 1119(E) dated 13<sup>th</sup> December 2000 to EIA Notification 1994 exempting the defence related road construction projects in border areas from obtaining EC under the provision of EIA notification.

(vi) The project roads are categorized as ITBP / Defence roads. These roads are for movement of ITBP and other Defence Establishment patrolling Indo-China Boarder and these are not meant for public movement without obtaining proper permission of the authorities.

(vii) These roads are connecting existing ITBP camps and will thereby strengthen the security of the nation by enabling swift movement of the security personnel including those of Army.

(viii) There is ongoing military Stand-off at Line of Actual Control (LAC) between India and China which can escalate at any point of time, if remain unresolved. Hence the construction of these roads is of upmost priority without any undue delay.

(ix) These roads fall within 100km from LAC and are for ITBP for which funds are provide by Ministry of Home Affairs.

(x) This road will also be used by other defence establishments.

(xi) Length of all individual roads is less than 100km.

(xii) Since ITBP is a central paramilitary organisation, the works of Central Police Organizations (CPOs) are executed by CPWD all over India including Border areas for their infrastructure development.

3. The issue was deliberated in detail by the Committee with respect to the provisions under Environment Impact Assessment (EIA) Notification, 2006 for the need of EC from the ministry for the project. As observed on the basis of examination by the Ministry and the committee:

- (i) The project is of high strategic significance.
- (ii) The proposal is for construction of lateral roads along Indo-China border in various states for movement of ITBP and other Defence Establishment patrolling Indo-China Boarder and these are not meant for public movement without obtaining proper permission of the authorities.
- (iii) There is ongoing military Stand-off at LAC between India and China which can escalate at any point of time, if remain unresolved. Hence the construction of these roads is of upmost priority without any undue delay.



- (iv) EIA Notification, 2000 is an amendment to EIA Notification 1994, which being superseded by EIA Notification 2006 is no more applicable in the extant matter.
- (v) Para 2 of the EIA Notification, 2006 on "Requirements of prior EC" explicitly indicates the projects and activities for which need for prior EC is applicable. According to this provision, prior EC is needed for all those new or expansion projects which are listed in the Schedule to the Notification.
- (vi) Construction of roads are covered in Schedule 7(f) of EIA notification, 2006 under the Project Activity of Highways. New National Highways and its expansion falls in Category A and New State Highways and expansion fall in Category B.
- (vii) Even for the expansion projects, EC is applicable for National Highways greater than 100 km according to further amendment to EIA Notification 2006 issued vide SO no. 2559(E) dated August 2013.
- (viii) As has been certified by CPWD (Gol agency) on behalf of ITBP, these proposed roads are neither Rural Roads nor State Highway (SH) and National Highway (NH) and length of individual road is less than 100 km.

4. Accordingly, the Committee opined that it does not fall under the purview of EIA Notification 2006 (Item 7 (f) of schedule) and the Environmental Clearance is not applicable to them for construction of these roads for defence purpose.

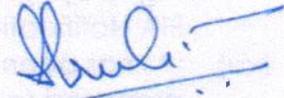
5. However, being in high altitude area there are expected forest areas in these regions for which necessary Forest Clearance may be required. In this regard CPWD, North Sikkim has enclosed copy of general approval letter dated 29<sup>th</sup> January 2015 by Forest Conservation Division of this Ministry under Section-2 of Forest Conservation Act 1980 for diversion of forest land for construction and widening of two lanes for Indo Tibet Border Police in the areas falling within 100 Km aerial distance from the line of Actual Control. Further, it has been stated that this approval under FC Act will be applicable in all the proposals presently under examination in the State Government and in the Ministry on the date of issue of the letter.

6. In view of foregoing and on the basis of recommendation of the EAC(N&D) and necessary examination within the Ministry, the Ministry of Environment Forest and Climate Change, in acceptance of the recommendation of the EAC (Nuclear and Defense), agrees that the need of prior EC doesn't arise in the extant proposals of construction and widening of roads in the border areas of Indo- China border by CPWD and other road construction agencies entrusted with the job by ITBP or other such defence organization under control of the Ministry of Defence. The above is applicable subject to following conditions:

- (i) Proposed roads shall not fall in the category of either National Highway or State Highway.
- (ii) Length of all individual roads shall be less than 100km.

- (iii) The roads will be utilized for defence purpose only and shall be regulated by M/o Defence.
- (iv) These roads shall be falling in area within 100 Km aerial distance from the Line of Control (LAC).
- (v) FC Division approval letter dated 4<sup>th</sup> July 2014 and 29<sup>th</sup> January 2015 of this Ministry shall be applicable to these roads in toto and all the conditions as stipulated in these FC Division approval letters dated 4<sup>th</sup> July 2014 and 29<sup>th</sup> January 2015 shall be strictly complied with.

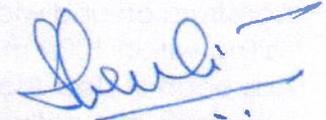
7. Further, this approval shall be applicable in all such similar proposals presently under examination in the State Government and in the Ministry subject to the applicability and compliance of the conditions cited at para 6 above.



(Dr. Shruti Rai Bhardwaj)  
Addl. Director/Scientist 'E'

To:

1. The Executive Engineer, O/o EE-II, CPWD, ICBRP, Nirman Bhawan, Bamunimaidan. Guwahati -21. Email: [ee2icbrpdghy@gmail.com](mailto:ee2icbrpdghy@gmail.com), [ee-icbrpdghy@cpwd.gov.in](mailto:ee-icbrpdghy@cpwd.gov.in).
2. The Executive Engineer, Seema Sadak Mandal, CPWD, SSB Main Gate, Bhaktyana, Srinagar - 246174. Email: [eebrdsrinagar@gmail.com](mailto:eebrdsrinagar@gmail.com)
3. The Executive Engineer, Border Road Project Division-1, CPWD, Opps. P.O., ST Lama Building, North Sikkim. Email: [eeccdsikkim@gmail.com](mailto:eeccdsikkim@gmail.com).
4. Chief Project Manager, INBR Project Zone, E-Wing, Nirman Bhawan, New Delhi - 110011. Email: [icbrpzleh.cpwd@gmail.com](mailto:icbrpzleh.cpwd@gmail.com).



(Dr. Shruti Rai Bhardwaj)  
Addl. Director/Scientist 'E'

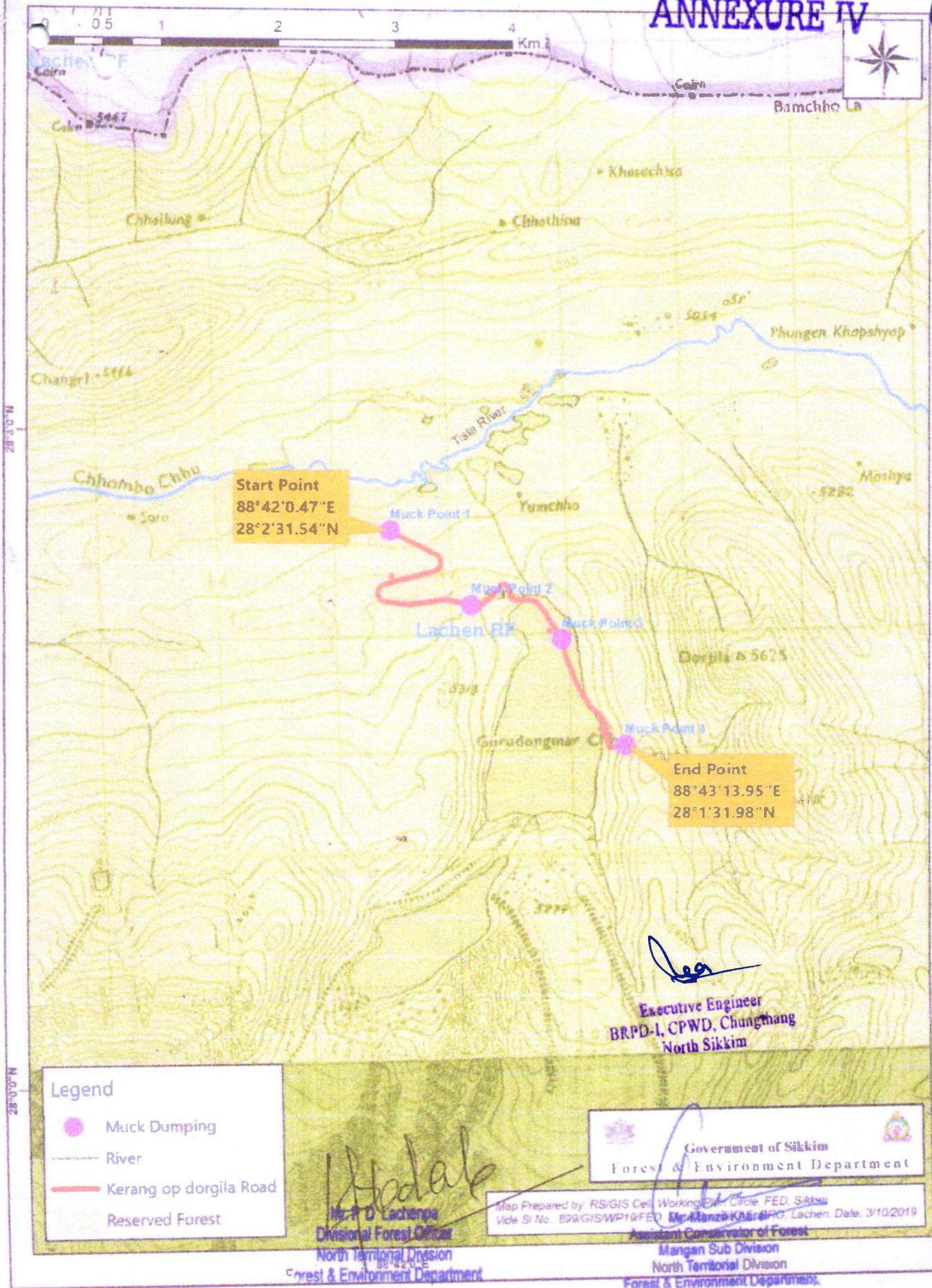
CC to:

1. Dr Ajay Kumar, Defence Secretary, Ministry of Defence, 101-A, South Block, New Delhi. Email: [defsecy@nic.in](mailto:defsecy@nic.in)
2. Shri Ajay Kumar Bhalla, Home Secretary, Ministry of Home Affairs, North Block, Central Secretariat, New Delhi-110001. Email: [hshso@nic.in](mailto:hshso@nic.in)

MAP SHOWING THE LOCATION OF MUCK DUMPING FOR DIVERSION OF FOREST LAND FOR CONSTRUCTION OF HIGH HILL ROAD AT KERANG OP DORJILA UNDER LACHEN (T) RANGE, NORTH DIVISION

**ANNEXURE IV**

105



**Start Point**  
 88°42'0.47"E  
 28°2'31.54"N

**End Point**  
 88°43'13.95"E  
 28°1'31.98"N

**Legend**

- Muck Dumping
- River
- Kerang op dorgila Road
- Reserved Forest

*[Signature]*  
 Executive Engineer  
 BRPD-I, CPWD, Chungthang  
 North Sikkim

*[Signature]*  
 Mr. P. D. Lachenpa  
 Divisional Forest Officer  
 North Territorial Division  
 Forest & Environment Department

Government of Sikkim  
 Forest & Environment Department

Map Prepared by: RS/GIS Cell, Working Circle, FED, Sikkim  
 Vide SI No. 899/GISWP/19/FED  
 Mr. Manzi KASRA  
 Assistant Conservator of Forest  
 Mangan Sub Division  
 North Territorial Division  
 Forest & Environment Department



भारत सरकार  
केन्द्रीय लोक निर्माण विभाग  
कार्यालय कार्यपालक अभियंता  
सीमा सडक परियोजना मंडल-1  
एस० टी० लामा बिल्डिंग, तीसरी मंजिल  
चुंगथांग, उत्तर सिक्किम- 737120

Government of India  
Central Public Works Department  
O/o Executive Engineer  
Border Road Project Division-1  
S. T. Lama Building, 3rd Floor  
Chungthang, North Sikkim - 737120.

E-MAIL: [eeccdsikkim@gmail.com](mailto:eeccdsikkim@gmail.com), [chueeccd1.cpwd@nic.in](mailto:chueeccd1.cpwd@nic.in)

\*\*\*

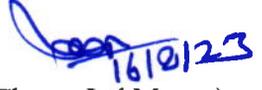
( Annexure - B )

ANNEXURE 1



### UNDERTAKING

This is to certify that the user agency is ready to pay the additional amount of Net Present Value (NPV) at present rate for the diversion of 7.838 Ha. forest land for Construction of road from Kerang to OP Dorjila under Lachen (T) Range in North District of Sikkim by Indo Tibetan Border Police Force if so determined, as per final decision of the same by Hon'ble Supreme Court of India.

  
(Shiv Charan Lal Meena)  
Executive Engineer

Executive Engineer  
BRPD-1, CPWD, Chungthang  
North Sikkim



भारत सरकार Government of India  
केन्द्रीय लोक निर्माण विभाग Central Public Works Department  
कार्यालय कार्यपालक अभियंता O/o Executive Engineer  
सीमा सड़क परियोजना मंडल-I Border Road Project Division-I  
एस० टी० लामा बिल्डिंग, तीसरी मंजिल S. T. Lama Building, 3rd Floor  
चुंगथांग, उत्तर सिक्किम- 737120 Chungthang, North Sikkim - 737120.

E-MAIL: [eeccdsikkim@gmail.com](mailto:eeccdsikkim@gmail.com), [chueeccd1.cpwd@nic.in](mailto:chueeccd1.cpwd@nic.in)

\*\*\*



### UNDERTAKING

This is to certify that user agency will obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulder in forest land. If necessary under proposed Construction of road from Kerang to OP Dorjila under Lachen (T) Range in North District of Sikkim for Indo Tibetan Border Police Force (ITBP) by CPWD.

(Shiv Charan Lal Meena)  
Executive Engineer

Executive Engineer  
BRPD-I, CPWD, Chungthang  
North Sikkim



भारत सरकार Government of India  
केन्द्रीय लोक निर्माण विभाग Central Public Works Department  
कार्यालय कार्यपालक अभियंता O/o Executive Engineer  
सीमा सड़क परियोजना मंडल-I Border Road Project Division-I  
एस० टी० लामा बिल्डिंग, तीसरी मंजिल S. T. Lama Building, 3rd Floor  
चुंगथांग, उत्तर सिक्किम- 737120 Chungthang, North Sikkim - 737120.  
E-MAIL: [eeccdsikkim@gmail.com](mailto:eeccdsikkim@gmail.com), [chueeccd1.cpwd@nic.in](mailto:chueeccd1.cpwd@nic.in)



ANNEXURE II

108

\*\*\*

### UNDERTAKING

This is to certify that the diverted forest land shall be suitably demarcated on ground at project cost, as per the directions of the concerned Divisional Forest Officer under forest diversion proposal for Construction of road from Kerang to OP Dorjila under Lachen (T) Range in North District of Sikkim for Indo Tibetan Border Police Force (ITBP) by CPWD.

(Shiv Charan Lal Meena)  
Executive Engineer

Executive Engineer  
BRPD-I, CPWD, Chungthang  
North Sikkim



भारत सरकार  
केन्द्रीय लोक निर्माण विभाग  
कार्यालय कार्यपालक अभियंता  
सीमा सड़क परियोजना मंडल-I  
एस० टी० लामा बिल्डिंग, तीसरी मंजिल  
चुंगथांग, उत्तर सिक्किम- 737120

Government of India  
Central Public Works Department  
O/o Executive Engineer  
Border Road Project Division-I  
S. T. Lama Building, 3rd Floor  
Chungthang, North Sikkim - 737120.

*E-MAIL: [eeccdsikkim@gmail.com](mailto:eeccdsikkim@gmail.com), [chueeccd1.cpwd@nic.in](mailto:chueeccd1.cpwd@nic.in)*

\*\*\*



ANNEXURE III (109)

### UNDERTAKING

This is to certify that No labour camp shall be established on the forest land under proposed Construction of road from Kerang to OP Dorjila under Lachen (T) Range in North District of Sikkim for Indo Tibetan Border Police Force (ITBP) by CPWD.

(Shiv Charan Lal Meena)  
Executive Engineer

Executive Engineer  
BRPD-I, CPWD, Chungthang  
North Sikkim



भारत सरकार Government of India  
केन्द्रीय लोक निर्माण विभाग Central Public Works Department  
कार्यालय कार्यपालक अभियंता O/o Executive Engineer  
सीमा सड़क परियोजना मंडल-I Border Road Project Division-I  
एस० टी० लामा बिल्डिंग, तीसरी मंजिल S. T. Lama Building, 3rd Floor  
चुंगथांग, उत्तर सिक्किम- 737120 Chungthang, North Sikkim - 737120.

E-MAIL: [eccdsikkim@gmail.com](mailto:eccdsikkim@gmail.com), [chueeccd1.cpwd@nic.in](mailto:chueeccd1.cpwd@nic.in)

\*\*\*



## UNDERTAKING

This is to certify that As per Ministry's letter No.11-30/96-FC (Pt) dated 14.09.2001, if the compliance of stipulated conditions is awaited from the state Government for more than 5(five) years the in-principle approval would summarily be revoked considering that user agency is no longer interested in the project under forest diversion proposal for Construction of road from Kerang to OP Dorjila under Lachen (T) Range in North District of Sikkim by Indo Tibetan Border Police Force (ITBP) by CPWD.

  
(Shiv Charan Lal Meena)  
Executive Engineer

Shiv Charan Lal Meena  
Executive Engineer  
BRPD-I, CPWD, Chungthang  
North Sikkim