

Memo No: 46/PNGS/RDD

Dated: 04/07/2024

To,

The APCCF-cum-Nodal Officer (FCA),  
Forest & Environment Department,  
Forest Secretariat, Deorali  
Govt. of Sikkim



Sub: Diversion of 4.8397 Ha of forest land for Construction of Rural Connectivity Road from Adarsh Goan to Burul via Rikkip Tshalamthang in South Sikkim by Rural Development Department Govt. of Sikkim Request for approval under Stage-II Forest Clearance-Reg.

Reference letter No. 1993/FCA/F&ED/2021/894. Dated:07/02/2023

- 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.
- Accordingly, compliances are made and submitted as follows:

Sl. No.	Conditions to be fulfilled	Compliances
<b>A. Conditions which need to be complied prior to handing over of forest land by the Forest Department.</b>		
1.	The User Agency shall transfer [Rs. <u>23,53,214.00</u> (Rupees <b>Twenty three lakh fifty three thousand two hundred fourteen only</b> )] the cost of raising and maintain compensatory Afforestation (100 trees plantation and maintenance for 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 enclosed).	Total CA Levies of Rs. <u>92,70,368.00/-</u> has been deposited. 1. Total of Rs. <u>23,53,214.00</u> deposited towards payment of Compensatory Afforestation as under: (i) Rs. <u>15,04,387.00</u> deposited vide cheque no. 504869 on 2/11/23. (ii) Rs. <u>8,48,827.00</u> deposited vide cheque no.347908 on 17/11/23.
2.	The User Agency shall transfer online, the Net Present Value (NPV) [Rs. <u>69,17,154.00</u> (Rupees <b>Sixty Nine lakh seventeen thousand and one hundred and fifty four</b> ] for the 4.8397 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 & Letter No. 5-3/2011-FC(Vol-I) dated 19/01/2022 in this regard (Demand note-I enclosed).	1. Total of Rs. <u>69,17,154.00</u> deposited towards payment of Net Present Value as under: (i) Rs. <u>45,21,015.00</u> deposited vide cheque no. 504869 on 2/11/23. (ii) Rs. <u>23,96,139.00</u> deposited vide cheque no.347908 on 17/11/23.
3.	All the 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
4.	The complete compliance of the FRA,2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	Agreed (Undertaking enclosed)
5.	Violation of any of these conditions will amount to	Agreed (Undertaking enclosed)

*Handwritten notes:*  
Rishi  
A. pram  
Shrey  
24/9/24



	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	
6.	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in">https://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 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 (Undertaking enclosed)
2.	The Forest Department shall plant 100 trees to maintain the green cover at the project cost. Planting site for the purpose shall be identified by the Forest Department preferably in the vicinity of the project site. Indigenous trees species should be preferred for such plantation.	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 to this effect.	Agreed (Undertaking enclosed)
4.	The expenditure like felling, logging and transportation of project affected trees [ <b>Rs. 16,74,237.00 (Rupees Sixteen lakhs seventy four thousand two hundred thirty seven only)</b> ] should be deposited in the cutting & felling account of the State Government for utilization immediately following the diversion of the forest land. 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. <b>(Demand note-II enclosed).</b>	Total of Rs. <b>16,74,237.00/-</b> has been deposited (as mentioned in Demand Note II & III) in favor of Chief Secretary cum-PCCF, Forest & Environment Department, Govt. of Sikkim. Out of the total amount of Rs <b>16,74,237.00</b> has been deposited vide cheque no.504869 on 2/11/23.towards the cost of felling, logging and transportation of project affected trees.
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.	
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 enclosed)
7.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Agreed (Undertaking enclosed)
8.	All the natural streams and water bodies in surrounding area shall be protected.	Agreed (Undertaking enclosed)
(a)		
(b)	The User Agency shall ensure that the laborers and staff engaged in construction activity do not damage the nearby forest flora and fauna.	Agreed (Undertaking enclosed)
(c)	Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed off in the adjoining forest area by the user agency.	Agreed (Undertaking enclosed)
(d)	No labour camp shall be established on the forest land	Agreed (Undertaking enclosed)
(e)	The user Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as	Agreed (Undertaking enclosed)




186

	to avoid any damage and pressure on the nearby forest areas.	
9.(a)	The forest land shall not be used for any purpose other than that specified in the project proposal	Agreed (Undertaking enclosed)
(b)	The period of diversion under this approval shall be co-terminus with the period of the project life.	Agreed (Undertaking enclosed)
(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 (Undertaking 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 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.

Yours faithfully,

  
Chief Engineer  
Designation  
Rural Development Department  
Organization Name  
Government of Sikkim





GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
GANGTOK

189

Memo No. 881/RDD

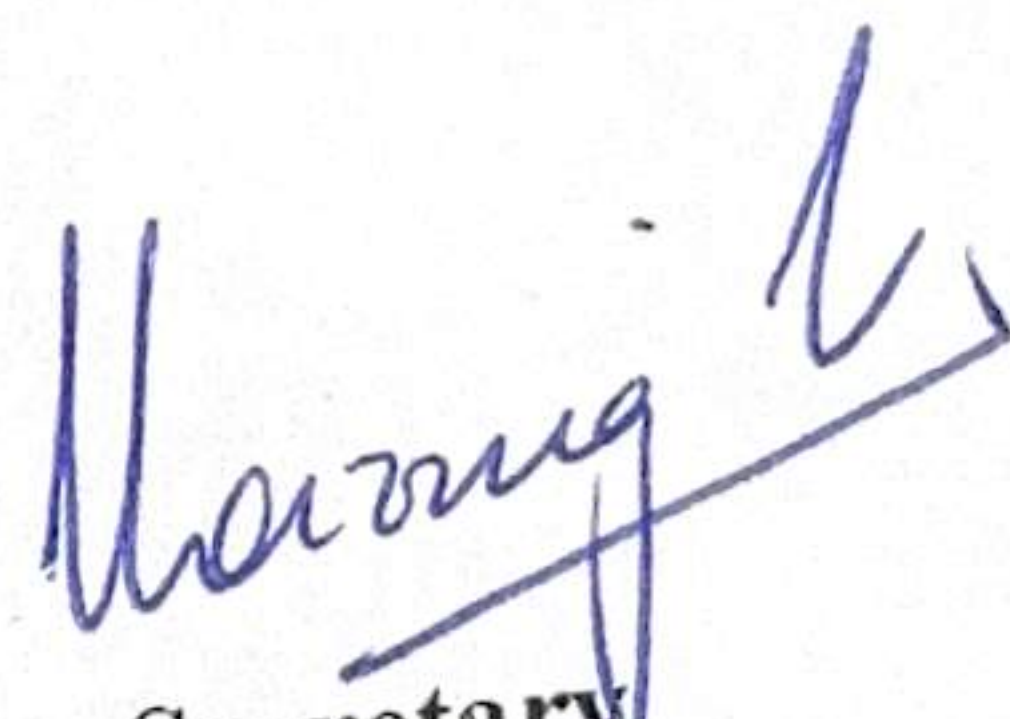
Date: 04.07.2024.

CERTIFICATE OF UNDERTAKING

Name of the proposal: -

Construction of Rural Connectivity Road from Adarsh Gaon to Burul via Rikkip Tshalamthang in South District (diversion of 4.8397 hectare of forest land).

The Rural Development Department, Government of Sikkim, hereby gives undertaking that the Department shall ensure that there shall be no violation of the conditions prescribed in the Stage-I approval accorded for the above mentioned diversion proposal. Further, it accepts the violation of any of the conditions prescribed in the Stage-I approval shall amount to violation of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 which shall be dealt with in the manner prescribed in Para 1.21 of Chapter 1 of the Handbook of Comprehensive guidelines of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

  
Secretary

Rural Development Department  
Government of Sikkim  
Gangtok

**SECRETARY**  
Rural Development Department  
Government of Sikkim





GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 576/CE (S/W)/RDD


Dated: 22/08/2024

178

190

**Annexure**  
**UNDERTAKING FOR LEGAL STATUS OF FOREST LAND**

It is certified that legal status of the forest land will not be changed and will remain the same as it is for Diversion of 4.8397 ha of forest land for construction of RCR from Adarsh Gaon to Burul via Rikkip Tshalamathang in South Sikkim.

  
CHIEF ENGINEER (S/W)  
RURAL DEVELOPMENT DEPARTMENT

**Chief Engineer**  
**Rural Dev. Department**  
**Govt. of Sikkim**





GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 577/CE(S/W)/RDD

Dated: 22/08/2024

UNDERTAKING

Rural Development Department will pay additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Honble Supreme Court of India on receipt of the report from the Expert Committee.

CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim



GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 578/CE (S/W)/RDD

Dated: 22/08/2024

UNDERTAKING

This is to certify that the Rural Development Department 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, under forest Diversion of 4.8397 ha of forest land for construction of RCR from Adarsh Gaon to Burul via Rikkip Tshalamathang in South Sikkim.

CHIEF ENGINEER (S/W)  
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim





GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 579/LEGW/RD

Dated: 22/08/2024

UNDERTAKING

This is to certify that layout plan of the proposal shall not be changed without the prior approval of central Government under forest Diversion of 4.8397 ha of forest land for construction of RCR from Adarsh Gaon to Burul via Rikkip Tshalamathang in South Sikkim.

CHIEF ENGINEER (S/W)  
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim





GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 580/CE(S/W)/RDD

Dated: 22/08/2024

UNDERTAKING

This is to certify that all the natural streams and water bodies in surrounding area shall be protected under forest Diversion of 4.8397 ha of forest land for construction of RCR from Adarsh Gaon to Burul via Rikkip Tshalamathang in South Sikkim.

CHIEF ENGINEER (S/W)  
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim





GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 585 / CE (S/W) / RDD

Dated: 22/08/2024

UNDERTAKING

This is to certify that the forest land shall not be used for any purpose other than that specified in project proposal, under forest Diversion of 4.8397 ha of forest land for construction of RCR from Adarsh Gaon to Burul via Rikkip Tshalamathang in South Sikkim.

  
CHIEF ENGINEER (S/W)  
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim





GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 582 / LFC (S/W) / RDP

Dated: 22/08/2024

UNDERTAKING

This is to certify that the Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed off in the adjoining forest area by the Rural Development Department for Diversion of 4.8397 ha of forest land for construction of RCR from Adarsh Gaon to Burul via Rikkip Tshalamathang in South Sikkim.

CHIEF ENGINEER (S/W)  
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim





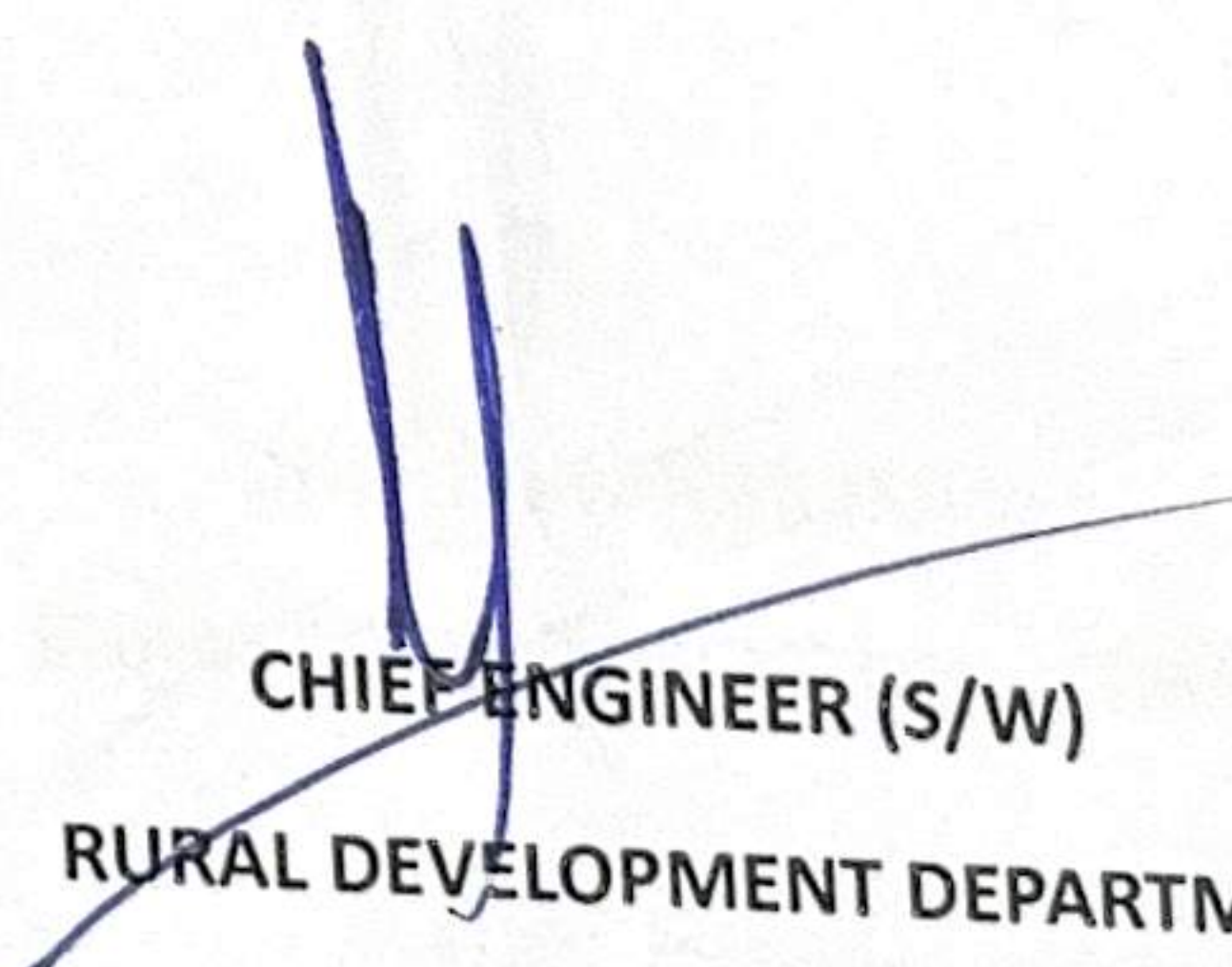
GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 583/CE (S/W)/RDD

Dated: 22/02/2024

UNDERTAKING

This is to certify that no labor camp shall be established on the forest land under Forest Diversion of 4.8397 ha of forest land for construction of RCR from Adarsh Gaon to Burul via Rikkip Tshalamathang in South Sikkim.

  
CHIEF ENGINEER (S/W)  
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim





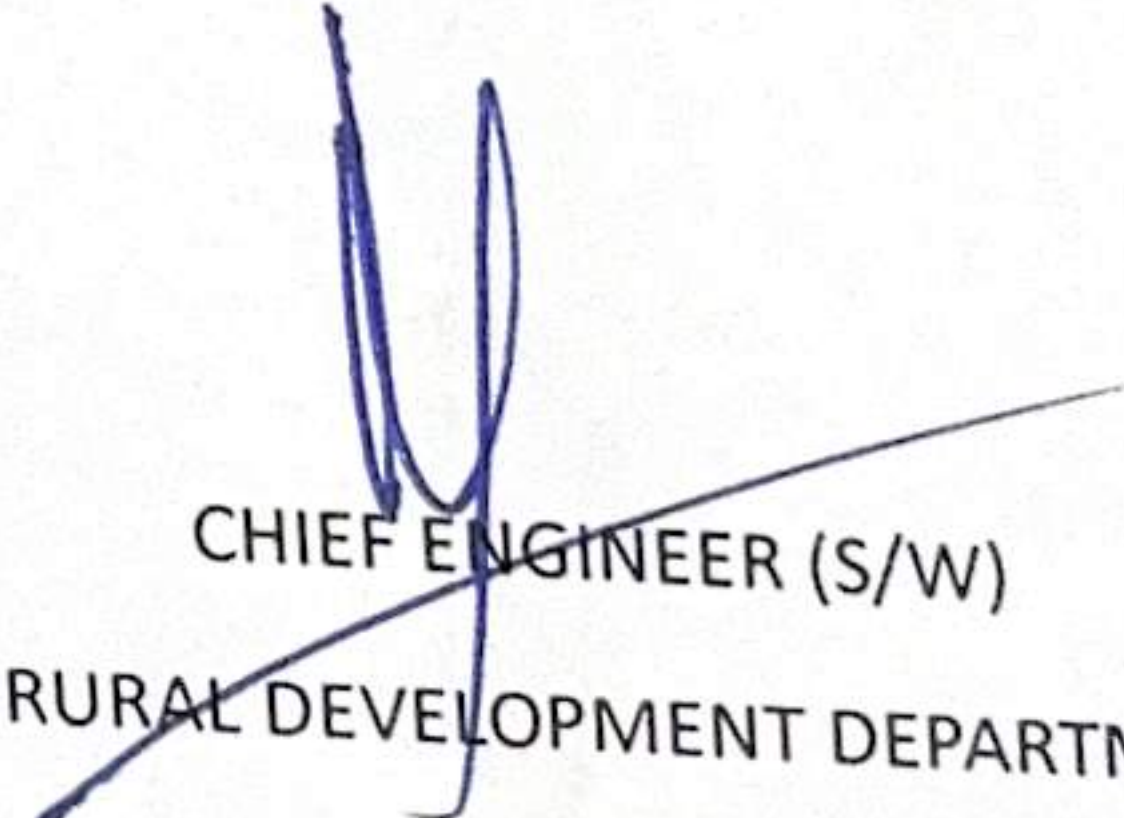
GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 584/CE(S/W)/RDD

Dated: 22/08/2024

UNDERTAKING

This is to certify that the Rural Development Department Shall provide alternate fuel Preferably LPG to the Laboure's and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas under forest Diversion of 4.8397 ha of forest land for construction of RCR from Adarsh Gaon to Burul via Rikkip Tshalamathang in South Sikkim.

  
CHIEF ENGINEER (S/W)  
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim





GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 586/CE (S/W)/RDD

Dated: 22/08/2024

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 of 4.8397 ha of forest land for construction of RCR from Adarsh Gaon to Burul via Rikkip Tshalamathang in South Sikkim.

  
CHIEF ENGINEER (S/W)  
RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim





GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 581/CE (S/W)/RDD

Dated: 22/08/2024

UNDERTAKING

This is to certify that the Rural Development Department shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna of forest land for Diversion of 4.8397 ha of forest land for construction of RCR from Adarsh Gaon to Burul via Rikkip Tshalamathang in South Sikkim.

CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim





GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK

Memo No: 587/LE(S/W)/RDD

Dated: 22/08/2020

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 person without prior approval of the central government under forest Diversion of 4.8397 ha of forest land for construction of RCR from Adarsh Gaon to Burul via Rikkip Tshalamathang in South Sikkim.

  
CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim





GOVERNMENT OF SIKKIM  
RURAL DEVELOPMENT DEPARTMENT  
GRAM VIKASH BHAWAN  
TASHILING, GANGTOK


Memo No: 588/CE(S/W)/RDD

Dated: 22/08/24

UNDERTAKING

Any other conditions that the ministry of the Environment, Forest and climate change may stipulate from time to time in the interest of conservation and development of Forest and Wildlife.

Rural Development Department is hereby undertaken to agree other conditions that the ministry of the Environment, Forest and Climate change may stipulate from time to time in the interest of Conservation and development of forest and wildlife.

  
CHIEF ENGINEER (S/W)

RURAL DEVELOPMENT DEPARTMENT

Chief Engineer  
Rural Dev. Department  
Govt. of Sikkim