

DX No: 159/FCA/F
Date: 26/6/24.



URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM

Memo No: 500/UDD/D14/ITG ITG.

Dated: 14/06/24

To

The Nodal Officer (FCA),
Forest and Environment Department,
Government of Sikkim,
Forest Secretariat,
Deorali, Gangtok-737102

✓ *[Signature]*
[Signature] 24/6/24

Sub: - Diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Govt of Sikkim.

Sir,

This is in reference to Stage-I approval (In Principle) of the State Government along with Demand note I & II vide letter no. 1855/FCA/F&ED/145 dated 09.02.2023. Accordingly, compliance are made and submitted as follows:

[Signature] 26/6/24

SN	Conditions to be fulfilled	Compliance
A. Conditions which need to be complied prior to handing over of forest land by the Forest Department		
1.	The cost of compensatory afforestation on the CA land (4.7626 ha) for Rs. 37,54,782.00 (Rupees Thirty-seven lakhs fifty-four thousand seven hundred eighty-two) only as proposed by Forest Department at the prevailing wage rates as per compensatory Afforestation scheme shall be deposited in advance with Department by the project Authority. The CA will be maintained for 10 years.	Total of Rs. 68,33,316 has been transferred (as mentioned in Demand note-I to Ad Hoc CAMPA through e-challan generated on PARIVESH portal towards the charges of compensatory levies for compensatory afforestation scheme and NPV.
2.	The User Agency shall transfer online the Net Present Value (NPV) for Rs. 30,78,537.00 (Rupees Thirty lakhs seventy eight thousand five hundred and thirty seven) only payable for the	

[Signature] 24/6/24

[Signature] 28/06/24

	2.3812 ha forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme court of India dated 28/03/2008, 24/04/2008, and 09/05/2008 in IA No. 566 in WP (C) No.202/1995 and as per the guidelines issued by the Ministry vide letter No. 5-2/2006-FC dated 03/10/2006, dated 03/10/2006, 5-3/2007-FC dated 05/02/2009 & 5-3/2011-FC(Vol-I) dated 19/01/2022 in this regard	
3.	All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (https://parivesh.nic.in).	Fund transferred/ deposited to CAMPA fund only.
4.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector	Agreed
5.	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter I of the Handbook of Comprehensive Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019	Agreed (Undertaking enclosed)
6.	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in).	Agreed
B: Conditions which need to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval.		
1.	Legal status of forest land proposed for diversion shall remain unchanged.	Agreed (Undertaking enclosed)
2.	Compensatory afforestation shall be taken up by the Forest Department over 4.7624 ha degraded forest land (Location – Salghari RF, Namchi (T) Range, under Namchi Territorial Forest 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.	Agreed
3.	Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall also be charged by the State	Agreed (Undertaking enclosed)

	Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	
4.	The expenditure like felling, logging and transportation of project affected trees for Rs. 9,21,159.00 (Rupees nine lakhs twenty-one thousand one hundred fifty-one) only 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 by the User Agency with the Forest Department.	Total of Rs. 19,52,890.00 (Rupees Nineteen lakhs fifty-two thousand eight hundred and ninety) only has been deposited via Cheque No <u>342438</u> dated <u>31.03.2023</u> payable to Secretary- Forest & Env. Dept. Govt. of Sikkim against Demand Note No II "towards the charges of compensatory levies for felling, logging and transportation of project affected trees, cost for boundary demarcation of diverted forest land & cost for Avenue plantation .
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. If the same is to be executed through Forest & Environment Department Rs. 4,07,337.00 (Rupees four lakh seven thousand three hundred and thirty-seven only) shall be transferred in the cutting & felling account of the State Government.	
6.	The User Agency shall raise strip plantation on both sides of the road for Rs. <u>6,24,394.00</u> (Rupees six lakhs twenty-four thousand four hundred three) only as per the norms shall be deposited advance with Department by the project Authority.	
7.	The layout of plan of the proposal shall not be changed without the prior approval of the Central Government	Agreed (Undertaking enclosed)
8.	<p>(a) All the natural streams and water bodies in surrounding area shall be protected.</p> <p>(b) The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.</p> <p>(c) Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency.</p> <p>(d) No labour camp shall be established on the forest land.</p>	Agreed (Undertaking enclosed)

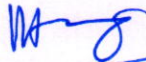
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	<p>(e) The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.</p> <p>(f) During and after the construction period of the project, the project authority shall continue to assist the State Forest Department for conservation and development of natural resources of the State.</p>	
9.	<p>(a) The forest land shall not be used for any purpose other than that specified in the Project proposal.</p> <p>(b) The period of diversion under this approval shall be co-terminus with the period of the project life.</p> <p>(c) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.</p>	Agreed (Undertaking enclosed)
10.	Any other conditions that the Ministry of Environment, Forest & Climate change may stipulate from time to time in the interest of conservation, protection and development of forest and wildlife	Agreed (Undertaking enclosed)

Now, I would like to request your good office to kindly arrange for final approval under Section 2 of the Forest Conservation Act, 1980 and grant permission to take up the construction activities in the above cited transmission corridor in line with the provision of Guidelines vide letter no F.No. I 1306/2014-Fc dated 8th August, 2014 of MoEF & CC. Gol.

Thanking You,

Yours Faithfully,


M.T. Sherpa, IAS
 Secretary
 Urban Development Department.
 Urban Dev. Department
 Government of Sikkim, Gangtok



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Azadi Ka
Amrit Mahotsav

**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE I

No: 501/000/DIV/STG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

(Violation of any of these conditions will amount to violation of Forest (conservation) Act. 1980 and action shall be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of Comprehensive guidelines of Forest (Conservation) Act. 1980 issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019)

The Urban Development Department give undertaking to accept the condition that (Violation of any of these conditions will amount to violation of Forest (conservation) Act. 1980 and action shall be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of Comprehensive guidelines of Forest (Conservation) Act. 1980 issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS
Secretary

Urban Development Department.

SECRETARY

Urban Dev. Department
Government of Sikkim, Gangtok



**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE II

ANNEXURE II

No: 502/000/DIV/JTG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

(Legal status of the forest land shall remain unchanged)

The Urban Development Department give undertaking to accept the condition that (legal status of the Forest land shall remain unchanged) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Govt of Sikkim.

M.T. Sherpa

M.T.Sherpa, IAS

Secretary

Urban Development Department.

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Government of Sikkim, Gangtok



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Amrit Mahotsav



**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE III

No: 508/000/DIV/UTG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

(The Layout plan of the proposal shall not be changed without the prior approval of the Central Government)

The Urban Development Department give undertaking to accept the condition that (The Layout plan of the proposal shall not be changed without the prior approval of the Central Government) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS

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**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE IV

No: 504/000/STG/STG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

(All the natural streams and water bodies in surrounding area shall be protected)

The Urban Development Department give undertaking to accept the condition that (All the natural streams and water bodies in surrounding area shall be protected) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS
Secretary

Urban Development Department.

Urban Dev. Department
Government of Sikkim, Gangtok



**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE V

No: 505/UDDP/DIU/JLG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

(The user Agency shall ensure that the laborers and staff engaged in construction activity do not damage the nearby forest flora and fauna)

The Urban Development Department give undertaking to accept the condition that (The user Agency shall ensure that the laborers and staff engaged in construction activity do not damage the nearby forest flora and fauna) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS
Secretary

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Government of Sikkim, Gangtok



**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE VI

No: 506/UDD/DIV/ATG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

(Earth of any other material shall not be brought from and debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency)

The Urban Development Department give undertaking to accept the condition that (Earth of any other material shall not be brought from and debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS
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**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE - VII

No: 307/000/DIV/STG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

(No labour camp shall be established on the forest land)

The Urban Development Department give undertaking to accept the condition that (No labour camp shall be established on the forest land) in prescribed by the Department of Forest & Environment, Govt. of for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS
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**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE - VIII

No: 508/600/DIV/JTG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

(The user Agency shall provide alternate fuels preferably LPG to the Labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas.)

The Urban Development Department give undertaking to accept the condition that (The user Agency shall provide alternate fuels preferably LPG to the Labourers and staff working at the site so as to avoid any damage and pressure on the nearby forest areas.) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS

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**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE - IX

No: 509/UDD/DIV/ITG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

During and after the construction period of the project, the project authority shall continue to assist the State Forest Department for conservation and development of natural resources of the State.

The Urban Development Department give undertaking to accept the condition that during and after the construction period of the project, the project authority shall continue to assist the State Forest Department for conservation and development of natural resources of the State in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS
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Government of Sikkim, Gangtok



**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE - X

No: 510/UDD/DIV/STG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

(The forest land shall not be used for any purpose other than specified in the project proposal.)

The Urban Development Department give undertaking to accept the condition that (The forest land shall not be used for any purpose other than specified in the project proposal.) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS
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Urban Development Department.
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Urban Dev. Department
Government of Sikkim, Gangtok

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**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

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ANNEXURE - X

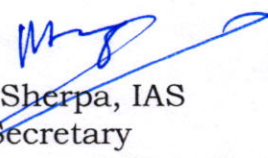
No: 511/000/DIV/JTG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

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

The Urban Development Department give undertaking to accept the condition that (The Period of diversion under this approval shall be co-terminus with the period of the project life.) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.


M.T. Sherpa, IAS
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**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE - XII

No: 512/000/DIV/STG

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

(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.)

The Urban Development Department give undertaking to accept the condition 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 Central Government.) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS
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Urban Dev. Department
Government of Sikkim, Gangtok



**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE - XIII

No: 513/000/DIV/176

Dated: 14/06/2024

CERTIFICATE OF UNDERTAKING

(Any other conditions that the Ministry of Environment, Forest & Climate Changes may stipulate from time to time in the interest of conservation protection and development of forest & wildlife.)

The Urban Development Department give undertaking to accept the condition that (Any other conditions that the Ministry of Environment, Forest & Climate Changes may stipulate from time to time in the interest of conservation protection and development of forest & Wildlife.) in prescribed by the Department of Forest & Environment, Govt. of Sikkim for the diversion of 2.3812 Ha of Forest Land for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS
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Government of Sikkim, Gangtok



**URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF SIKKIM, GANGTOK**

ANNEXURE - XIV

No: 54/UDD/DIV/JTG

Dated: 14/6/2024

CERTIFICATE OF UNDERTAKING

Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall also be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.

The Urban Development Department give undertaking to accept the condition that Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall also be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect for construction of road from Jorethang Bazaar to Ugen Choeling Gumpa Jorethang, Namchi district of Sikkim by Urban Development Department, Government of Sikkim.

M.T. Sherpa, IAS
Secretary

Urban Development Department.

SECRETARY

Urban Dev. Department
Government of Sikkim, Gangtok