



भारत सरकार/Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय, कोलकाता/ Integrated Regional Office, Kolkata
IB-198, Sector – III, Salt Lake City, Kolkata-700106
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No.IRO/KOL/WB/Water/152151/2022/84

Date: 6th March 2023

To,

The Addl. Chief Secretary,
Department of Forests,
Government of West Bengal,
Aranya Bhawan, Block-LA, 10-A, Sector – III,
Salt Lake City, Kolkata – 700106.

Sub: Final (Stage-II) approval of Central Government under Forest (Conservation) Act 1980 for proposed diversion of 0.0378 ha forest land in favour of Darjeeling Municipality for construction of water reservoir for water supply project under AMRUT in Darjeeling district of West Bengal - reg

Sir,

This refers to letter No.1053-For/O/L/10T-16/2022 dated 14.07.2022, wherein prior approval of Ministry of Environment, Forest and Climate Change for diversion of 0.0378 ha forest land in favour of Darjeeling Municipality for construction of water reservoir for water supply project under AMRUT in Darjeeling district of West Bengal, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal of the State Government, the 'in-principle' approval of the Central Government for diversion of the said forest land was accorded vide Ministry's letter of even number dated 28.07.2022 subject to fulfillment of certain conditions. The State Government of West Bengal vides their letter No.348-For/O/L/10T-16/2022 dated 2.03.2023 has furnished compliance report in respect of the relevant conditions stipulated in the in-principle approval for grant of final approval.

In this connection, on the basis of the compliance report under reference, the **final approval** of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 is hereby accorded for diversion of 0.0378 ha forest land in favour of Darjeeling Municipality for construction of water reservoir for water supply project under AMRUT in Darjeeling district of West Bengal, subject to the following conditions and stipulations:-

- (1) Legal status of the forest land diverted shall remain unchanged.
- (2) **Compensatory afforestation:** The State Forest Department shall plant 100 numbers of trees to maintain the green cover at the project cost. Planting site for the purpose shall be identified by the State Forest Department preferably in the vicinity of the project site. As far as possible, a mixture of

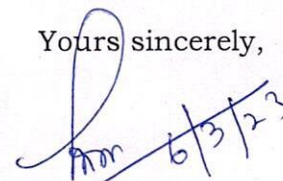
local indigenous species shall be planted and monoculture of any species may be avoided.

- (3) The State Government shall ensure that compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF&CC, GoI in this regard.
- (4) Wherever possible and technically feasible, the User Agency shall undertake appropriate afforestation measures all around the project site related to this approval, in consultation with the State Forest Department, at the project cost.
- (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 Officers.
- (6) The layout plan of the proposed diversion of the forest land shall not be changed without prior approval of Ministry of Environment, Forest and Climate Change.
- (7)
 - a) All the natural streams and water bodies in surrounding area shall be protected.
 - b) The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.
 - 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.
 - d) No labour camp shall be established inside the forest land.
 - 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.
- (8)
 - a) The diverted forest land shall not be used for any purpose other than that specified in the project proposal.
 - b) The period of diversion under this approval shall be co-terminus with the period of the project life.
 - c) The diverted forest land shall under no circumstances be transferred to any other agencies, department, or person without prior approval of the Ministry of Environment, Forest and Climate Change.
- (9) The User Agency and the State Government shall ensure compliance to provisions of all the Acts, Rules, Regulations, Guidelines, Hon'ble Court Order(s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time in force, as applicable to the project.
- (10) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.

(11) 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 and wildlife.

2. As has been mentioned at Para-2 of the Stage-II approval, this approval for diversion of forest land is subject to the fulfillment of stipulated conditions mentioned in this approval letter. Therefore, in the event of non-compliance of any of the conditions laid out in this approval letter, the Integrated Regional Office of the Ministry of Environment, Forest & Climate Change may withdraw the said approval for diversion of the forest land and stop the non-forest activity being carried out in the forest land besides initiating the legal action as per provisions of Forest (Conservation) Act, 1980.

Yours sincerely,

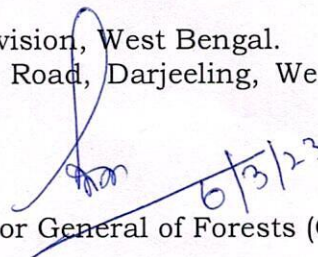


(Dr. Soma Das)

Inspector General of Forests (C)

Copy to:-

1. The IGF (ROHQ), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110 003.
2. The APCCF cum Nodal Officer (FCA), Department of Forest, Department of Forests, Government of West Bengal, Aranya Bhawan, Salt Lake City, Kolkata, 700098.
3. The Divisional Forest Officer, Darjeeling Forest Division, West Bengal.
4. The Chairman, Darjeeling Municipality, Ladenla Road, Darjeeling, West Bengal - 734101.
5. Guard file



Inspector General of Forests (C)