



GOVERNMENT OF SIKKIM

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FOREST-cum-PRINCIPAL SECRETARY  
FORESTS, ENVIRONMENT & WILDLIFE MANAGEMENT DEPARTMENT

FOREST SECRETARIAT, DEORALI, GANGTOK-737 102 [PHONE: 281261 (O), 202590 (R) FAX: 03592 – 281778]

Ref No.1412/FCA/FEWMD/2015 (Pt.II)/.....FSY.....

Dated.....26/3/.....2016

COMPLIANCE REPORT

To,

The Additional Principal Chief Conservator of Forests (Central)  
Government of India  
Ministry of Environment Forests & Climate Change  
North-Eastern Regional Office  
Law-U-SIB, Lumgatngen, Near MTC Workshop  
SHILLONG – 793 021 (Meghalaya).

Sub: **Proposal for Diversion of 0.3440 Ha (Khasmal) of Forest Land for Construction of Link Road (3 Km) from Kolthang Maney Dara to Jogi Dara Km 1<sup>st</sup> to Km 3<sup>rd</sup> in South District of Sikkim By Road & Bridges Department**

Ref. Your Letter No.3 SK B 033/2013-SHI/2359-60 dated the 3<sup>rd</sup> November 2015.

Sir,

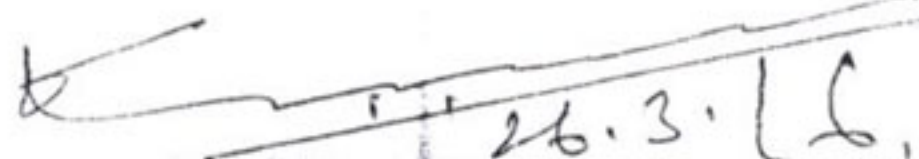
Pursuant to the conditions of the Stage-I Approval (IPA) conveyed by the Ministry for the aforesaid project proposal, the User agency has fulfilled the compliance of conditions by making the payment of the compensatory levies as stipulated and furnishing the requisite documents as stated below:-

Sl No	Stipulation of Conditions	Compliance of conditions
1	The User agency shall transfer the cost of compensatory afforestation over the degraded forest land double in extent to the area of forest land proposed to be diverted (i.e. 0.70) identified at Namzing RF of Lingmoo Range in South (T) Division, to the Adhoc CAMPA through the State Forest Department	Complied with and recovered the cost of the Compensatory afforestation for <b>Rs.3,16,929.00</b> vide cheque No.17371 dated 30/1/2016
2	The State Govt shall charge Net Present Value (NPV) of the forest land being diverted under this proposal from the User agency as per the Order of the Hon'ble Supreme Court of India dated 28-3-2008, 24-4-2008 and 09-5-2008 in Write 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	Complied with and recovered the Net Present Value of forest land for <b>Rs.2,91,000.00</b> vide cheque No.117372 dated 30/1/2016
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 the final decision of the same by the Hon'ble Supreme of India	The User agency has furnished the Undertaking in this regard, a copy of which is enclosed herewith for reference.
4	All the funds received from the User agency under the project, except the funds realised for regeneration/demarcation of safety zone, shall be transferred to the Compensatory Afforestation Fund Management and Planning Authority (CAMPA) in the Saving Account pertaining to the State concerned	Fund for CA and NPV has already been remitted to Ad Hoc CAMPA through "e-Payment" system vide Bank's <b>Transaction No.S78704886 dated 7<sup>th</sup> March 2016</b> and the Confirmation thereof has been obtained accordingly. (A copy of computer generated Payment Status is enclosed for reference)



5	The boundary of the forest land being diverted shall be demarcated on the ground by erecting four feet high reinforcement cement concrete pillars each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from pillar to pillar. The photograph of above is needed to be enclosed in compliance report	The boundary of the demarcated forest land shall be erected/provided at the time of handing and taking over of forest land is executed procedurally
6	The charges for felling, logging and transportation of project affected trees shall be paid by the User agency separately and deposited with the State Forest Department for utilization immediately following the diversion of forest land	The charges for Rs.3,23,332.00 only for cutting, felling and extraction of project affected trees has been paid by User agency vide cheque No.117370 dated 30-1-2016.
7	The expenditure like boundary walls, stone pillars, demarcation charges, cost of damage of trees, the funds on these account should be deposited with the Department	The charges on these accounts for Rs.5,54,000.00 has been paid by the User agency (clubbing the amount with the payment of NPV) vide cheque No.117372 dated 30-1-2016
8	The User agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986 before consideration of final approval, if required.	Environment Clearance may not, perhaps, be required in the instant case. However, this shall be obtained in the case of its requirement during the project period.
9	The User agency will have to obtain the Forest (Conservation) Act 1980 clearance for stone, river sand, river boulders in the forest land, if necessary.	Forest Clearance under the Act shall be obtained in the case of its requirement during the project period
10	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 Govt 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	Noted for future compliance

The **Compliance Report** is, therefore, forwarded herewith for seeking the final approval under section 2 of Forest (Conservation) Act 1980 keeping in view of the compliance of conditions fulfilled by the User agency in the instant case. The handing/taking over of forest land being diverted for the project purposes of User agency, shall be executed only after the final approval in this respect is conveyed by the Ministry.

  
(B. S. Siktel, JFS)

**Conservator of Forests-cum-Nodal Officer (FCA)**

- Copy to (1) Chief Conservator of Forests (Territorial/HQ), Forests Environment & Wildlife Mgmt. Department, Forest Secretariat, Deorali-Gangtok for his kind information
- (2) Shri K. S. Achar, Officer on Special Duty (Ad Hoc CAMPA), Ministry of Environment Fore & Climate Change, 4<sup>th</sup> Floor, Block No.3, CGO Complex, New Delhi-110 001 information. **The confirmation to the credits of compensatory levies has since be made on the basis of payment status obtained through "e-Payment" system, a copy which is enclosed herewith for reference.**
- (3) Superintending Engineer (Roads & Bridges) SPWD, Namchi [South Sikkim] for information with reference to his recent discussion and clarification sought from his end in the instant case.
- (4) Divisional Forest Officer (Territorial), South Division, Namchi (South Sikkim) for information.