



GOVERNMENT OF INDIA
 MINISTRY OF ENVIRONMENT, FOREST
 & CLIMATE CHANGE
 NORTH EASTERN REGIONAL OFFICE
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By. 305 (FCA)
 6/11/15.

(64)

~~Director~~
 For doing final action
 US (FCA)
 6/11/15 - PI put up

No. 3- SK B 033/2013-SHI/2359-60

3rd November, 2015

To
 The Principal Chief Conservator of Forests-
 -Cum Principal Secretary
 Deptt. of Forests, Environment & Wildlife
 Govt. of Sikkim
 Deorali, Gangtok
 Sikkim

C.F. (FCA)
 5/11

Sub : Proposal for diversion of 0.344 ha. of forest land for construction of link road (3 Km) from Kolthang Maney Dara to Jogi Dara in South District of Sikkim by Road & Bridges Department, Government of Sikkim.

Sir,
 This has got reference to the State Government's letter No 1412/FCA/FEWMD/179 dated 15.06.2015 on the subject mentioned above, wherein prior approval of the Central Government for diversion of 0.344 ha. of forest land for construction of link road (3 Km) from Kolthang Maney Dara to Jogi Dara in South District of Sikkim by Road & Bridges Department, Government of Sikkim, was sought in accordance with Section 2 of the FCA, 1980.

2. After careful consideration of the proposal of the State Government of Sikkim, I am to inform that **In-principle approval** is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for diversion of **0.344 ha.** of forest land for of link road (3 Km) from Kolthang Maney Dara to Jogi Dara in South District of Sikkim by Road & Bridges Department, Government of Sikkim, subject to the following 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 ha), identified at Manzing RF of Lingmoo Range in South (T) Division to the Adhoc CAMPA through State Forest Department.
- (2) The State Government shall charge the Net Present Value (NPV) of the forest area diverted under this proposal from the User Agency as per the Orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 & 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard.
- (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 the Net Present Value (NPV), if so determined, as per final decision of the same by the Hon'ble Supreme Court of India.
- (4) All the funds received from the user agency under the project, shall be transferred to Ad-hoc Compensatory Afforestation Fund Management and Planning Authority (CAMPA) in the concerned Saving Bank Account of Ad-hoc CAMPA in Corporation Bank, CGO Complex, Lodi Road, New Delhi -110003.

- (5) The boundary of the forest land being diverted shall be demarcated on ground by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from pillar to pillar etc. The photographs of above is needed to be enclosed in compliance report.
- (6) The total charges for felling, logging and transportation of project affected trees should be collected from the User Agency at the rates approved by the State Government and deposited with the DFO concerned for utilization immediately following the diversion of forest land.
- (7) The expenditure like stone pillars, demarcation charges cost of damage of trees felling should be deposited with the DFO concerned.
- (8) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, before consideration of final approval, if required.
- (9) The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulders in forest land, if necessary.
- (10) As per Ministry's letter No. 11-30/96-FC(Pt) dt. 14.9.2001, 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.

3. After the receipt of the compliance report from the State Government on fulfillment of the conditions mentioned above, final/stage-II approval of the Central Government, in accordance with Section 2 of the Forest (Conservation) Act, 1980, will be considered. Till the receipt of the Final / Stage-II approval of the Central Government for diversion of the said forest land from this Ministry, transfer of the said forest land to the User Agency shall not be affected by the State Government.

This is issued with the approval of Addl. Principal Chief Conservator of Forests (C).

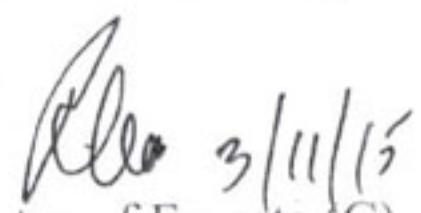
Yours faithfully,

(R. L. Sanga)

Conservator of Forests (C)

Copy to :

1. The Chief Conservator of Forests & Nodal Officer, O/o The PCCF, Department of Forest, Env. & WL Management, Government of Sikkim, Deorali, Gangtok.


3/11/15
Conservator of Forests (C)