



GOVERNMENT OF SIKKIM
OFFICE OF THE PCCF-cum-PRINCIPAL SECRETARY
FORESTS, ENV. WL MANAGEMENT & CLIMATE CHANGE DEPARTMENT
FOREST SECRETARIAT, DEORALI, GANGTOK-737 102
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Ref. No. 1412/FCA/FEWMD/518-19

Dated: 24/11/2015

To,

The PCE-cum-Secretary,
Roads & Bridges Department,
Govt. of Sikkim, Gangtok.

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 Roads & Bridges Department, Govt. of Sikkim.

Sir,

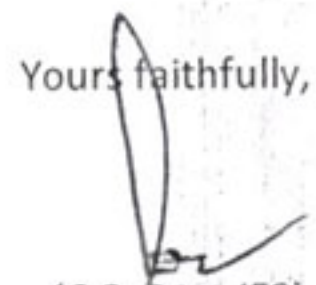
The Ministry of Environment, Forest & Climate Change, Government of India, has accorded its Stage - I (In-Principle) approval under Section 2 of the Forest (Conservation) Act, 1980 for diversion **0.344** Ha of forest land for construction of link road (3 Km) from Kolthang Maney Dara to Jogi Dara in South District of Sikkim by Roads & Bridges Department, Govt. of Sikkim, subject to fulfillment of conditions as stipulated in the approval letter No. 3 SK B 033/2013-SHI/2359-60 dated 3rd November'2015 (copy enclosed), which are as follows :-

- (1) The User Agency shall transfer the cost of Rs. **3,16,929=00** (Rupees three lakhs sixteen thousand nine hundred and twenty nine) only for 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 Manzing RF of Longmoo Range in South (T) Division, to the Adhoc CAMPA through State Forest Department.
- (2) The State Government shall charge Rs. **8,45,000=00** (Rupees eight lakhs and forty five thousand) only for 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 28/03/2008, 24/04/2008 and 09/05/2008 in Writ 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. A Demand Note for Rs. **3,16,929=00** and Rs. **8,45,000=00**, totaling of Rs. **11,61,929** is enclosed herewith for realization of payment.
- (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 final decision of the same by Hon'ble Supreme Court of India.
- (4) All the funds received from the User Agency under the project, except the funds realized for regeneration/demarcation of safety zone, shall be transferred to Compensatory Afforestation Fund Management and Planning Authority (CAMPA) in the Saving Bank Account pertaining to the State concerned;

- (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 photographs of above is needed to be enclosed in compliance report.
- (6) The charges for felling, logging and transportation of project affected trees for Rs. **3,23,332=00** (Rupees three lakhs twenty three thousand three hundred and thirty two) only, shall be paid by the User Agency separately and deposited with the State Forest Deptt. for utilization immediately following the diversion of forest land.
- (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.
- (8) The user Agency shall obtain the Environmental Clearance as per the provisions of the Environment (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 boulder in forest land, if necessary.
- (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 Government 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.

Therefore, you are requested, to fulfill the above conditions at the earliest so that compliance report would be forwarded to the Ministry of Environment & Forest, Government of India for seeking final approval under Section 2 of Forest (Conservation) Act, 1980. **Diversion of forest land shall not be affected till the final approval to the proposal is granted by the Central Government.** The User Agency shall be required to furnish the undertaking in respect of Condition No. (3), (8) & (9) respectively to comply the above conditions accordingly.

Yours faithfully,


(C.S. Rao, IFS),
CCF-cum-Nodal Officer (FCA),

Copy to:-

1. ~~The Conservator of Forest (Territorial)~~
Gangtok. : For information.
2. The Divisional Forest Officer (Territorial)
South Division, Gangtok. : For information & follow up action.