



भारत सरकार/Government of India
पर्यावरण, वन एवं जल वायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय
Integrated Regional Office
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No. SK/TRANS-36/2021/FC/16

Date: 19.01.2022

To

The Principal Secretary-cum-PCCF,
Forests and Environment Department,
Government of Sikkim,
Forest Secretariat, Deorali
Gangtok – 737102.

Sub: Diversion of 10.046 ha of forest land for laying of 66 KV D/C Chungthang - Lachen Tr. Line under Comprehensive Scheme for strengthening of Transmission and Distribution system in Sikkim by Energy and Power Deptt., Govt. of Sikkim – reg.

Sir,

This refers to letter No. 1910/FCA/F&ED/176 dated 22.04.2021 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 for the above-mentioned project. In-principle Approval (IPA) i.e., Stage- I was accorded vide this office letter SK/TRANS-36/2021/FC/272 dated 27.10.2021 subject to fulfilment of stipulated conditions.

The State Government of Sikkim vide their letter No. 1910/FCA/F&ED/638 dated 29.11.2021 have furnished the compliance to the conditions stipulated in the in-principle approval and submission of compensatory levies by e-challan and online payment by the user agency under CAMPA.

After careful consideration, Stage **II/final approval** of the Central government is hereby accorded under Section 2 of the Forest (Conservation) Act, 1980 for Diversion of 10.046 ha of forest land for 66 KV D/C Chungthang-Lachen Transmission Line under comprehensive Scheme for strengthening of Transmission and Distribution system in Sikkim by Energy and Power Department, Govt. of Sikkim, subject to the fulfilment of the following conditions: -

1. Legal status of the forest land shall remain unchanged.

2. The State Govt. shall ensure that the boundary of the diverted forest land shall be demarcated on ground at the project cost by erecting four feet high reinforced cement concrete pillars at an interval of 20 meters, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates before commencement of the project.
3. Compensatory afforestation shall be taken up by the Forest Department over 20.5 ha in degraded forest land (Location - Kalapather 15.5 ha RF + Thangu RF 5.00 ha North Territorial Division) at the cost of the user agency as per the Compensatory Afforestation Scheme submitted by the State Forest Department. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
4. The degraded forest land identified for CA and the approved CA scheme shall not be changed without the prior approval of the Central Government and the State Forest Department shall ensure that the amount is utilized for raising of CA. The user agency shall pay the cost of increase for works scheduled for subsequent years.
5. The CA plots shall be demarcated by erecting 4ft high RCC pillars at appropriate distance duly numbered at the cost of the user agency. GPS readings and maps shall be uploaded in the PARIVESH portal by the State Forest Department.
6. The progress of Compensatory Afforestation shall be reported to this office.
7. State Forest Department shall raise plantation of preferred dwarf species in the right of way under the transmission line at the cost of User agency
8. 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 in future shall be charged by the State Government from the User Agency.
9. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
10. The State Govt. shall ensure that the user agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required.
11. The user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.

12. The User Agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter no. 7-25/2012-FC dated 05/05/2014 & 19/11/2014.
13. The layout plan of the proposal shall not be changed without prior approval of Central Government.
14. No labour camp shall be established on the forest land.
15. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
16. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
17. No storage of any material will be done in the diverted / nearby forest area.
18. The muck generated shall be disposed of as per the provision/ plan made in the proposal.
19. The period of diversion under this approval shall be the project life.
20. The forest land shall not be used for any purpose other than that specified in the project proposal.
21. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
22. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
23. There shall be no damage to surrounding forests, environment, wildlife and natural resources including all the natural stream of water bodies.
24. 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.
25. Any other condition that the Ministry of Environment, Forests & Climate Change and the State Forest department may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

This approval for diversion of forest land is subject to the fulfillment of stipulated conditions mentioned above. Therefore, in the event of non-compliance of any of the conditions laid down, the Integrated Regional Office

Kolkata of the MoEF&CC may with draw the said approval for diversion of 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 DIGF, RO(HQ), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests (HoFF)/ The APCCF-cum-Nodal Officer (FC), Department of Forests & Environment, Government of Sikkim, Gangtok.
3. The Divisional Forest Officer, North Territorial Forest Division, Sikkim.
4. The Divisional Forest Officer, East Territorial Forest Division, Sikkim.
5. The PCE-cum-Secretary, Head Office Energy & Power Department, Kazi Road, Gangtok, Sikkim- 737101.
6. Guard File.

Inspector General of Forests (C)