



GOVERNMENT OF SIKKIM
OFFICE OF THE PCCF-cum-PRINCIPAL SECRETARY
FORESTS AND ENVIRONMENT DEPARTMENT
FOREST SECRETARIAT, DEORALI, GANGTOK-737 102

Ref. No. 1829/FCA/F&ED/.....

Dated:.....2020

To,

The Major, Nodal Officer
For Commanding Officer,
154 FD Regiment,
Pin -926154
C/O 99 APO.

Sub : Proposal for diversion of 0.0451 Ha. of Forest Land for Water Supply Scheme from Milestone-5 to Milestone 8 at J.N. Road in East District of Sikkim by 154 Field Regiment, C/o 99 APO - In Principle Approval reg.

Sir,

Reference your [No. FP/SK/WATER/39933/2019 received through on-line/off line mode and after careful examination of your proposal, the State Govt. is hereby pleased to accord the **Stage-I (In-Principle) Approval** in terms of the General approval as conveyed by the Ministry of Environment, Forests & Climate Change, Govt of India, New Delhi under section 2 of Forest (Conservation) Act 1980 [vide letter No.F.No.11-9/98 FC, dated 03/01/2005 and subsequently under Chapter 4 para 4.3 clause "d - Drinking Water" under Forest (Conservation) Rules 2003, for **diversion of 0.0451 Ha. of Forest Land for Water Supply Scheme from Milestone-5 to Milestone 8 at J.N. Road in East District of Sikkim by 154 Field Regiment, C/o 99 APO**, subject to fulfillment of conditions as follows :-

- (i) The User Agency shall transfer the cost of **Rs. 50,578.00** (Rupees fifty thousand five hundred and seventy eight) only for Compensatory Afforestation (Medicinal Plantation) over an area of the degraded land i.e. 0.045 ha. identified at Lagyap RF under Kyongnosla (T) Range, East (T) Division.
- (ii) The User Agency shall transfer Rs. **29,630.00** (Rupees twenty nine thousand six hundred and thirty) only for the Net Present Value (NPV) for the forest land diverted under this proposal as per the Judgment of the Hon'ble Supreme Court of India date 23.03.2008 & 09.05.2008 in IA No.566 in WP (C) No.202/1995 and as per the guideline issued by the Ministry vide letter No. 5-3/2007-FC dated 05/02/2009 in this regard.
- (iii) 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.
- (iv) All the above funds under the project towards compensatory leveies (CA and NPV, etc) shall be transferred/deposited in the Compensatory Afforestation Fund of Sikkim State through Demand Draft/cheque in favour of PCCF-cum-Principal Secretary, Forest & Environment Govt. of Sikkim.

- (v) The boundary of the diverted forest land shall be demarcated on the ground at the project cost by erecting four feet high reinforcement cement concrete pillars each inscribed with its serial number, forward and back bearing and distance from pillars to pillar.
- (vi) The charges for felling, logging and transportation of project affected trees for **Rs. 20,250.00** (Rupees twenty thousand two hundred and fifty) only shall be deposited in favour of the Principal CCF-cum-Pr. Secretary, Forests Environment & Wildlife Management Department Govt. of Sikkim, Gangtok.
- (vii) The expenditure like boundary walls, stone pillars, demarcation charges, cost of damage of trees, the funds on these account should be deposited with the DFO concerned.
- (viii) 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.
- (ix) The user agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulder in forest land, if necessary.
- (x) As per Ministry's letter No.11-30/96-FC (Pt) dated 14.09.2001, if the compliance of stipulated conditions is awaited from your department 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.

After fulfillment of the above conditions in completeness, the User agency shall submit the **compliance report** for seeking the Final Approval of the State Govt. under the said Act. **Diversion of forest land shall not be effected till the final approval is granted by the State Govt. in this respect. Demand Note in respect of Conditions No. (i), (ii) & (vi) are also enclosed for realization of payment.**

This is issued within the delegated powers of the State Govt. as conveyed by the Ministry of Environment Forests & Climate Change, Govt. of India with the Guidelines, referred to above.

Yours sincerely,

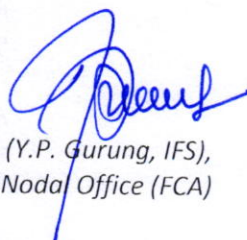
Sd-(Y.P. Gurung, IFS),
CCF-cum-Nodal Office (FCA)

Memo No. 1829/FCA/FEWMD/.....**32-35**

Dated: **1/6**...../2020

Copy to:-

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|---------------------------------------|---|-------------------------------------|
| 1. PCCF-cum-Pr. Secretary | : | For information, please. |
| 2. Conservator of Forest (T), Gangtok | : | For information. |
| 3. DFO (Territorial) East Division | : | For information & follow up action. |
| 4. File | | |


(Y.P. Gurung, IFS),
CCF-cum-Nodal Office (FCA)