



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

Ref. No. 1846/FCA/F&ED/...../1/3

Dated: 5/3/...../2020

To,

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

Sub : Proposal for diversion of 0.695 Ha of Forest Land for construction of road from Ben School to Lakhim in South District of Sikkim by Roads & Bridges Department, Govt. of Sikkim - In Principle approval reg.

Sir,

Reference your Proposal No. FP/SK/ROAD/40605/2019 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 Forest (Conservation) Rules, 2003] for **diversion of 0.695 Ha of Forest Land for construction of road from Ben School to Lakhim in South District of Sikkim by Roads & Bridges Department, Govt. of Sikkim**, subject to fulfillment of following conditions:-


- (1) The User Agency shall transfer **Rs. 20,13,564.00 (Rupees twenty lakhs thirteen thousand five hundred and sixty four) only** for cost of Compensatory Afforestation over 0.8 Ha degraded forest land identified at Ben Khasmal in Ravongla (T) Range, South Division. The CA will be maintained for 10 years.
- (2) The User Agency shall transfer the cost of Net Present Value (NPV) for **5,87,275.00 (Rupees five lakhs eighty seven thousand two hundred and seventy five) only** 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.
- (3) Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, will be charged by the State Govt from the User Agency. The User Agency shall furnish an undertaking to this effect.
- (4) 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.
- (5) The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.

- (6) The User Agency shall deposit charges for felling, logging and transportation of project affected trees for **Rs. 1,72,150.00 (Rupees one lakh seventy two thousand one hundred and fifty) only** in favour of PCCF-cum-Principal Secretary, at the rates approved by the State Govt. 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 accounts should be deposited with the DFO concerned.
- (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.

After fulfillment of the above conditions in completeness, the User agency shall submit the **compliance report** for seeking the Final Approval under General Approval under the Forest (Conservation) Act, 1980 and Forest (Conservation) Rules, 2003, by the State Govt. **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. (1), (2) & (6) are also enclosed for realization of payment.**

This 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 faithfully,



(B.P. Pradhan, IFS),
Chief Conservator of Forest (HQ)