



GOVERNMENT OF SIKKIM

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FOREST-cum-PRINCIPAL SECRETARY  
FORESTS, ENVIRONMENT & WILDLIFE MANAGEMENT DEPARTMENT

FOREST SECRETARIAT, DEORALI, GANGTOK-737 102 [PHONE: 281261 (O), 202590 (R) FAX: 03592 – 281778]

Ref. No. 1677/FCA/FEWMD/.....566.....

Dated.....04.01.....2015

To,

✓ The Chief Engineer  
Project Swastik HQ  
Border Road Organization  
Pin 931717  
C/o 99 APO.

Subject: **Proposal for diversion of 5.7235 Ha of Forest Land for widening/improvement of Singtam - Dikchu (between Km 0.00 to 10.00) CI-9 District Road to National Highway Double Lane (NHDL specification) in East District by 87 RCC (GREF), BRO**

Sir,

Reference your Proposal [No. **FP/SK/ROAD/15773/2015**] received through on-line/off-line mode vide Letter No.2005/F/S-D-R Road/534/E2 dated 06-10-2015 and subsequent letter No.1677/FCA/FEWMD/2015/469-472 dated 12-10-2015 issued by this office thereof.

After careful examination of your proposal in accordance with the Rules/Guidelines framed under the Forest (Conservation) Act 1980 and on completion of procedural formalities as required under the said Act, 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 with the Guidelines under section 2 of Forest (conservation) Act 1980 for diversion of forest land for construction and widening of two lane roads by the BRO and other road construction agencies entrusted with the jobs by the Ministry of Defence in the area falling within 100 km aerial distance from the Line of Actual Control vide Letter No.11-246/2014-FC dated the 4<sup>th</sup> July 2014, for diversion of 5.7235 ha of forest land for widening/improvement of Singtam – Dikchu CI-9 District Road to National Highway Double Lane in East District by the 87 RCC (GREF) subject to compliance of conditions stipulated here as under:-

- (i) The legal status of forest land proposed to be diverted under the project shall remain unchanged.
- (ii) This General Approval is granted for the aforesaid project proposal falling within the 100 kilometre aerial distance from the LAC of Indo-China border and included in the DGBR lists for up-gradation to the NHDL specification as conveyed by the O/o the Director General of Military Operations, Integrated Headquarters of MoD (Army), New Delhi and subsequently communicated by the Dir (Plg & Brs) for Chief Engineer, Project Swastik vide Letter No.20046/FCLA/51/E2 Plg dated the 26<sup>th</sup> Nov 2015.
- (iii) The forest land proposed to be diverted is located outside the Protected Areas and consequently does not fall within the Eco Sensitive Zone of the nearest Fambonglho Wildlife sanctuary as notified by the Govt of India under Wildlife (Protection) Act 1972.
- (iv) The User agency shall release the payment for Rs.15,12,178.00 (Rupees fifteen lakh, twelve thousand one hundred and seventy eight) only towards the cost of the compensatory afforestation to be raised mandatorily over the degraded forest land identified at Sang RF under Singtam Range in lieu of forest land to be diverted for the project purposes.
- (v) The User agency shall release the payment of Rs.48,36,357.00 (Rupees forty eight lakhs, thirty-six thousand, three hundred fifty seven) only towards the Net Present Value of the forest land proposed to be diverted for project purposes, as per the Judgement Orders of the Hon'ble Supreme Court dated 28-3-2008/09-05-2008 in IA No.566 WP (C) 202/1995 and subsequent Guidelines communicated by the Ministry in its Letter No.5-3/2007-FC dated 05-02-2009 thereon.

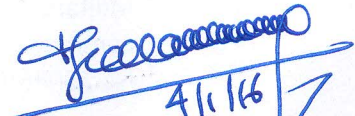


- (vi) The User agency shall furnish an Undertaking to pay the additional amount of NPV, if any, that may become due after finalization of revised rates of NPV and its effective date by the Ministry.
- (vii) The boundary of forest land to be diverted under the project shall be demarcated on the ground by using DGPS and erecting four feet high reinforced cement concrete pillars super inscribed with serial numbers, back/front bearings and distance from pillar to pillar. A soft copy of the Geo-referenced map in shape file shall be provided in this respect.
- (viii) All the above funds recovered from the User agency in the instant proposal, shall be transferred to the State-specific CAF account [SB 344902010105 432] maintained by the Ad Hoc CAMPAs with the Union Bank of India, Sundernagar, New Delhi.
- (ix) The User agency shall pay the cost for cutting, felling and extraction of project affected trees for Rs.21,83,537.00 (Rupees twenty-one lakhs, eighty-three thousand, five hundred and thirty-seven) only.
- (x) The felling of trees shall be carried out in presence of the forest officer deputed for felling operation but minimum felling is to be ensured as far as practicable on ground condition.
- (xi) The User agency shall release the payment for Rs. 9,00,000.00 (Rupees nine lakhs) only towards the cost for survey & demarcation of forest lands to be carried out by the respective Forest Division in consultation with the Working Plan Division and prepare the Geo-reference mapping duly authenticated thereon.
- (xii) As per the Ministry's Letter No.11-30/96-FC (Pt) dated 14-9-2001, if the compliance of conditions stipulated in the instant project proposal, is awaited for more than 5 (five) years, the In-principle approval will be summarily revoked considering that the User agency is no longer interested for the project.
- (xiii) The State Forest Department/State Govt or the concerned Regional Office of the Ministry may impose from time to time any other conditions in the interest of the conservation, protection and/or development of forests.

After fulfilment 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.

This issue is initiated within the delegated powers of the State Govt as conveyed by the Ministry of Environment Forests & Climate Change, Govt of India with the Guidelines contained in its letter referred to above.

Yours faithfully

  
 4/1/16  
 (Dr. Thomas Chandy, IFS)  
**Principal CCF-cum-Principal Secretary**  
**Dr. Thomas Chandy**  
**PCCF-cum-Principal Secretary**  
**Forest Envt. Wtl. Mangt. Deptt.**  
**Govt of Sikkim**

Copy to:-

- 1) Addl Principal CCF (Central), Ministry of Environment Forests & Climate Change, North East Regional Office, Shillong (Meghalaya) : for information.
- 2) District Collector, East District, Gangtok (Sikkim) : -do-
- 3) Conservator of Forests (Territorial), Gangtok (Sikkim) : -do-
- 4) DFO (T) East Division, Gangtok (Sikkim) : for information and follow up action accordingly.
- 5) Shri R. K. Joshi, Maj, Officer Commanding, 87 RCC Coy (GREF), BRO, C/o 99 APO : for information with ref. to his letter referred to above.