



GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT & FORESTS  
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पर्यावरण एवं वन मंत्रालय  
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F.No. 3- SK B 050/2018-SHI/ 2565-66

09.10.2018

सेवा मे,

प्रधान मुख्य वन संरक्षक- सह प्रमुख सचिव/ Principal Secretary-cum PCCF,  
सिक्किम सरकार/ Government of Sikkim,  
वन पर्यावरण विभाग और वन्यजीव प्रबंधन/ Department of Forests, Env. & Wildlife  
Management, डेओराली/ Deorali, गंगटोक/ Gangtok,  
सिक्किम /Sikkim- 737102.

Sub : Proposal for diversion of 0.7692 ha of forest land for development of Tourist  
Infrastructure at Saptya Kanya at Tumin Lingee Constituency in South District of Sikkim  
by Tourism & Civil Aviation Department, Government of Sikkim.

Sir,

This has got reference to the State Government's letter 1743/FCA/FEWMD/302 dated  
20.06.2018, even no.642 dated 18.09.2018 on the subject mentioned above seeking prior approval  
of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

2. After careful examination of the proposal of the State Government, ***In-principle / Stage-I***  
approval of the Central Government is hereby granted for diversion of of **0.7692 ha** of forest land  
for development of Tourist Infrastructure at Saptya Kanya at Tumin Lingee Constituency in South  
District of Sikkim by Tourism & Civil Aviation Department, Government of Sikkim, subject to the  
following conditions:

- (i) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation by way of block plantation, at the current wage rate, to the Adhoc CAMPA through State Forest Department.
- (ii) The compensatory afforestation (Block Plantation) over 1.5 ha identified at Pepthang Khasmal in Lingmoo Range, South District shall be raised and maintained by the State Forest Department at the cost of the user agency. CA cost shall be deposited in the Compensatory Afforestation Fund of Sikkim State managed by the Ad-hoc CAMPA, through E-portal in the account of the Ad-hoc CAMPA.
- (iii) The CA site is identified at Pepthang Khasmal. The CA scheme does not mention the number of seedlings to be planted. The State Govt. is to submit the information to this office along with the compliance report or prior to Final approval.
- (iv) The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders 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 its letter No. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal to Ad-hoc CAMPA account of the State concerned.

- (v) At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.
- (vi) **The User Agency should ensure that the compensatory leveies (CA cost, NPV, etc) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Ammount deposited through other mode will not be accepted as compliance of the Stage- I clearance.**
- (vii) 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, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar.
- (viii) The charges for felling, logging and transportation of project affected trees should be collected from the User Agency at the rates approved by the State Govt and deposited with the DFO concerned for utilization immediately following the diversion of forest land.
- (ix) 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.
- (x) The user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- (xi) The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulders in forest land, if necessary.
- (xii) As per Ministry's letter No. 11-30/96-FC(Pt) dt. 14.9.2001, if the compliance of stipulated conditions is awaited from the State Govt 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.

3. After the receipt of the compliance report from the State Government on fulfillment of the conditions mentioned above, final/stage-II approval of the Central Government, in accordance with Section 2 of the Forest (Conservation) Act, 1980, will be considered. Till the receipt of the Final / Stage-II approval of the Central Government for diversion of the said forest land from this Ministry, transfer of the said forest land to the User Agency shall not be affected by the State Government.

This is issued with the approval of Addl. Principal Chief Conservator of Forests (C).

भवदीय,

(आर. एल. सांगा)/(R.L. Sanga)

वन संरक्षक (केंद्रीय)/ Conservator of Forests(C)

Copy to:

सीएफ-सह-नोडल अधिकारी/CF-cum Nodal Officer, सिक्किम सरकार/ Government of Sikkim, वन पर्यावरण विभाग और वन्यजीव प्रबंधन/ Department of Forests, Env. & Wildlife Management, डेओराली/ Deorali, गंगटोक/ Gangtok, सिक्किम /Sikkim- 737102.

वन संरक्षक (केंद्रीय)/ Conservator of Forests(C)

o/c