



8/c.

## GOVERNMENT OF SIKKIM

### OFFICE OF THE PCCF-cum-PRINCIPAL SECRETARY

FORESTS, ENV. WL MANAGEMENT & CLIMATE CHANGE DEPARTMENT

FOREST SECRETARIAT, DEORALI, GANGTOK-737 102

[Phone No. 281145 [FAX No. 03592-281145, E-mail ID:fcasikkim@gmail.com]

Ref. No. 1700/FCA/FEWMD/..... **500-504**

Dated: **26/01/16**

To,

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

**Sub : Proposal for diversion of 0.081 Ha of Forest Land for construction of road from Bhusuk to Shotaklakha in East District of Sikkim by Roads & Bridges Department, Govt. of Sikkim.**

Sir,

Reference your proposal No. FP/SK/ROAD/19382/2016 dated 07.06.2016, regarding the project proposal cited above.

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 Rules/Guidelines, the State Govt hereby accords its stage-I (In-Principle) approval *in terms of General approval conveyed by the Ministry of Environment, Forests & Climate Change, Govt of India, New Delhi under section 2 of Forest (conservation) Act 1980* [ vide MoEF's earlier guidelines letter No. letter F.No.11-9/98-FC dated 03/01/2005 and No.11-9/98-FC dated 13/02/2014 in this respect], for **diversion 0.081 Ha of Forest Land for construction of road from Bhusuk to Shotaklakha in East District of Sikkim by Roads & Bridges Department, Govt. of Sikkim**, subject to fulfillment of the following conditions :-

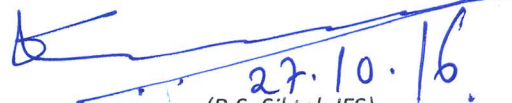
- (1) The User Agency shall transfer the cost of Rs. **55,665.00** (Rupees fifty five thousand six hundred and sixty five) only for Avenue Plantation (0.5 Km) with Bamboo basket/tree guard to be carried out on Rongneck-Bhusuk Road under Gangtok Range in East (T) Division, to the Adhoc CAMPA through State Forest Department.
- (2) The User agency shall pay the Net Present Value of the forest lands to be diverted under the project, for Rs. 53,217.00 (Rupees fifty-three thousand two hundred and seventeen) only 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.
- (3) 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.

- (4) All the funds received from the User Agency under the project, except the funds realized for regeneration/demarcation of safety zone, shall be transferred to Compensatory Afforestation Fund Management and Planning Authority (CAMPA) in the Saving Bank Account pertaining to the State concerned;
- (5) The boundary of the forest land being diverted shall be demarcated on the ground by erecting four feet high reinforcement cement concrete pillars each inscribed with its serial number, DGPS coordinates, forward and back bearing and distance from pillar to pillar. The photographs of above is needed to be enclosed in compliance report.
- (6) The charges for felling, logging and transportation of project affected trees for Rs. **27,355.00** (Rupees twenty seven thousand three hundred and fifty five) only, shall be paid by the User Agency separately and deposited with the State Forest Deptt. 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 account should, be deposited with the Department.
- (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 the said Act for the aforesaid project purposes. Diversion of forest land shall not be executed till the final approval is conveyed 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,

  
27.10.16.

(B.S. Siktel, IFS),  
CF-cum-Nodal Officer (FCA),

B.S. Siktel, IFS  
CF-cum-Nodal Officer  
Forest (Conservation) Act. 1980  
Govt. of Sikkim

Copy to:-

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|--|---|---|
| 1. The Addl. Principal CCF (Central), MoEF&CC, NERO, Shillong          | : | For information, please                           |
| 2. The Conservator of Forest (Territorial) Gangtok.                    | : | -do-  |
| 3. The Divisional Forest Officer (Territorial) East Division, Gangtok. | : | For information & follow up action under Sl.No.7. |