



GOVERNMENT OF SIKKIM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS-cum-PRINCIPAL SECRETARY
FORESTS, ENVIRONMENT & WILDLIFE MANAGEMENT DEPARTMENT
Forest Secretariat, Deorali – Gangtok, (SIKKIM) Pin 737 102,
[Ph 281778, 281145, Fax No. 03592-281145, E-mail ID: fcasikkim@gmail.com]

Ref. No. 1750/FCA/FEWMD/.....830-33
To,

Dated.....03.12......2018

The Managing Director,
National Highway & Infrastructure Dev. Corp. Ltd.
5th Mile M.P. Golai, Tadong
Gangtok, East Sikkim.

Sub : Proposal for diversion of 3.1884 Ha. of Forest Land for construction of 2-Lane road Ranipool to Pakyong (Airport Road) on NH-717) in East District of Sikkim by National Highways & Infrastructure Dev. Corp. Limited (NHIDCL) - In Principle approval reg.

Sir,

After careful examination of your proposal vide No. FP/SK/ROAD/26768/2017 and on the basis of Rules/Guidelines framed under the Forest (Conservation) Act 1980 and since the instant proposal falling within 100 km aerial distance from the Line of Actual Control (LAC) as certified by user agency vide letter No. NHIDCL/BO-SKM/Ranipool-Pakyong/2018-19/610 dated 30.10.2018, the State Govt. is pleased to accord the **Stage-I (In-Principle) approval** in terms of power delegated under the General Approval conveyed by the Ministry of Env. Forests & Climate Change, Govt. of India under Section 2 of Forest (Conservation) Act 1980 and subsequent Guidelines, communicated by Ministry in its Letter No.11-246/2014-FC dated the 3rd November, 2017 thereof, for **diversion of 3.1884 Ha. of Forest Land for construction of 2-Lane road Ranipool to Pakyong (Airport Road) on NH-717) in East District of Sikkim by National Highways & Infrastructure Dev. Corp. Limited (NHIDCL)**, subject to fulfilment of following conditions:-

- (1) The User Agency shall transfer the cost of Rs. **12,38,813.00** (Rupees Twelve lakhs thirty eight thousand eight hundred thirteen) only towards the cost of the Compensatory Afforestation in degraded forest land i.e. 3.1884 ha identified at Thekabong RF under Pakyong Range, East Territorial Division to the National CAMPA through State Forest Department. [A Demand Note for the same is enclosed herewith for reference].
- (2) The User Agency shall released the Net Present Value (NPV) of the forest land to be diverted for project purposes for Rs. **26,94,198.00** (Rupees twenty six lakhs and ninety our thousand one hundred and ninety eight) only as per the Judgement Orders of the Hon'ble Supreme Court of India dated 28-03-2008/09-05-2008 in IA No.566 Writ Petition (Civil) No. 202/1995 and the subsequent Guidelines communicated by this Ministry vide letter No. 5-3/2007-FC dated 05-02-2009 thereon. A Demand Note in this respect is enclosed herewith for reference.
- (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, shall be transferred to the Ad-hoc CAMPA in the concerned Saving Bank Account in the Corporation Bank, CGO Complex, Phase – I, Lodhi Road, New Delhi through “e-payment” module. As per guideline communicated by the National CAMPA, MoEF&CC, Govt. of India in its letter No. 12-2/2010-CAMPA dated 20th February’2017 and Office Memorandum dated 16th October 2018, the payment made other than through “e-payment” module shall not be taken into account for grant of Final Approval or working permission under the provision of Forest (Conservation) Act, 1980.
- (5) The boundary of the forest land being diverted 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, DGPS coordinates, forward and back bearing and distance from adjoining pillars.
- (6) The charges for felling, logging and transportation of project affected trees for **Rs. 61,68,375.00** (Rupees sixty one lakhs sixty eight thousand three hundred and seventy five) only shall be release by the User Agency and deposited with the State Govt. and deposited in favour of PCCF-cum-Pr. Secretary, Forests, Env. & WL Management Department, Govt. of Sikkim.
- (7) 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.
- (8) The user agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulder in forest land, if necessary.
- (9) 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.

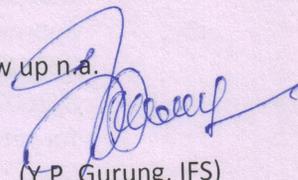
After fulfilment of the above conditions in completeness, the User agency shall submit the **compliance report** for seeking the Final approval of the State Govt under the said Act. **Diversion of forest land shall not be effected till the final approval is granted by the State Govt in this respect.**

This is issued within the delegated powers of the State Govt.

Yours sincerely,
Sd/-(Y.P. Gurung, IFS)
CCF-cum-Nodal Officer (FCA)

Copy to:-

- 1) The Addl Principal CCF (Central),
MoEFCC, NERO, Shillong. : For information, please
- 2) Conservator of Forests (Territorial) : -do-
- 3) DFO (T) East Division, Gangtok : For information and follow up n.a.


(Y.P. Gurung, IFS)
CF-cum-Nodal Officer (FCA)

o/c