



GOVERNMENT OF SIKKIM
OFFICE OF THE PCCF-cum-PRINCIPAL SECRETARY
FORESTS, ENV. WL MANAGEMENT & CLIMATE CHANGE DEPARTMENT
FOREST SECRETARIAT, DEORALI, GANGTOK-737 102
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Ref. No. 1765/FCA/FEWMD/...991.....

Dated: 19/1/2019

To,

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

Sub : Proposal for diversion of 0.995 Ha. of forest land for disposal of Earthwork/Muck within proposed Dumping Yard at Sumbuk RF in South District of Sikkim by Roads & Bridges Department, Govt. of Sikkim - In Principle approval reg.

Sir,

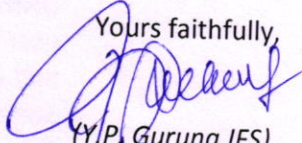
Reference your proposal [No. FP/SK/ROAD/31274/2018] received through on-line/off line mode and after careful examination of your proposal, the State Govt. is hereby pleased to accord the **stage-I (In-Principle) Approval** in terms of the General approval as conveyed by the Ministry of Environment, Forests & 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 subsequently letter No.F.No.11-9/98-FC dated 13/2/2014 for diversion of 0.995 Ha. of forest land for disposal of Earthwork/Muck within proposed Dumping Yard at Sumbuk RF in South District of Sikkim by Roads & Bridges Department, Govt. of Sikkim, subject to fulfillment of following conditions :-

- (1) The User Agency shall transfer the cost for raising and maintaining the Compensatory Afforestation at the current wage rate, to the Adhoc CAMPA through State Forest Department.
- (2) The Compensatory Afforestation over **2.00 ha.** identified at Bharikhola, Melli (T) Range, South District, shall be raised and maintained by the State Forest Department at the cost of the user agency. CA cost of **Rs. 15,08,483.00** (Rupees Fifteen lakhs eight thousand four hundred and eighty three) only shall be deposited in the Compensatory Afforestation Fund of Sikkim State managed by Adhoc CAMPA, through E-portal in the account of the Ad-hoc CAMPA. [A Demand Note for the same is enclosed herewith for reference].
- (3) The User Agency shall pay and transfer the payment of **Rs. 6,53,715.00** (Rupees six lakhs fifty three thousand seven hundred and fifteen) only for Net Present Value (NPV) of the forest land being diverted for the project proposal as per the Order 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 letter No. 5-3/2007-FC dated 05/02/2009 in this regard. [A Demand Note for the same is enclosed herewith for reference]

- (4) 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.
- (5) The user agency should ensure that the compensatory levies (CA cost, NPV etc) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
- (6) 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.
- (7) The charges for felling, logging and transportation of project affected trees for **Rs. 45,343.00** (Rupees fifty five thousand three hundred and forty three) only shall be paid by the User Agency at the rates approved by the State Govt. and deposited separately in favour of the Principal PCCF-cum-Pr. Secretary, Forests Environment & Wildlife Management Department Govt of Sikkim, Gangtok.
- (8) The expenditure like boundary walls, stone pillars, demarcation charges, cost of damage of trees the funds on these account should, be deposited with the DFO concerned.
- (9) 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.
- (10) The user agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulder in forest land, if necessary.
- (11) 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 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 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,

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