



GOVERNMENT OF SIKKIM
OFFICE OF THE PCCF-cum-PRINCIPAL SECRETARY
FORESTS AND ENVIRONMENT DEPARTMENT
FOREST SECRETARIAT, DEORALI, GANGTOK-737 102
[E-mail ID: fcasikkim@gmail.com]

Ref. No. 1843/FCA/F&ED/.....²³.....

Dated: ^{20/5}...../2020

To,

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

Sub : Proposal for diversion of 0.207 Ha of Forest Land for construction of road from Sadam PWD road to Murchal in South District of Sikkim by Roads & Bridges Department, Govt. of Sikkim - In Principle approval reg.

Sir,

Reference your proposal No. FP/SK/ROAD/41173/2019 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 under Chapter 4 para 4.3 clause 'k' of Forest (Conservation) Rules 2003, for **diversion of 0.207 Ha of Forest Land for construction of road from Sadam PWD road to Murchal in South District of Sikkim by Roads & Bridges Department, Govt. of Sikkim**, subject to fulfillment of following conditions :--

- (1) The User Agency shall deposit the cost of **Rs. 5,99,723.00** (Rupees five lakhs ninety nine thousand seven hundred and twenty three) only for Compensatory Afforestation Scheme for double the area diverted i.e. **0.414 Ha** of degraded forest land identified at Upper Sadam RF under Namchi (T) Range in South Territorial Division.
- (2) The User Agency shall pay the payment of **Rs. 1,74,915.00** (Rupees one lakhs seventy four thousand nine 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.
- (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 above funds under the project towards compensatory leveies (CA and NPV, etc) shall be deposited in the Compensatory Afforestation Fund of Sikkim State by Demand Draft/Cheque in favour of PCCF-cum-Principal Secretary, Forest & Environment Govt. of Sikkim.
- (5) The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.

- (6) No labour camp shall be established on the forest land.
- (7) The charges for felling, logging and transportation of project affected trees for **Rs. 2,72,623.00** (Rupees two lakhs seventy two thousand six hundred and twenty 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 identify muck disposal site within Private Land as identified by the State Forest Department and prepare Muck Disposal Management Plan to be approved/agreed by the State Govt. for the aforesaid project proposal if required.
- (10) 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.
- (11) The user agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulder in forest land, if necessary.
- (12) 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.
- (13) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After fulfillment of the above conditions in completeness, the User agency shall submit the **compliance report** for seeking the Final Approval under General Approval under the Forest (Conservation) Act, 1980 and Forest (Conservation) Rules, 2003.

Diversion of forest land shall not be effected till the Final Approval is granted by the State Govt. in this respect. Demand Note in respect of Conditions No. (1), (2) & (7) are also enclosed for realization of payment.

The IPA is 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),
CCF-cum-Nodal Officer (FCA)