



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. 1676/FCA/FEWMD/.....137-146

Dated: 19.05.2016

To,

The PCE-cum-Secretary,
Water Security & PHE Department,
Govt. of Sikkim, Gangtok.

Sub : Proposal for diversion of 0.818 Ha of Forest Land for Augmentation of water supply to Majhitar from Bharey Khola RF in South District of Sikkim by Water Security & PHE Department, Govt. of Sikkim – In-Principle reg.

Sir,

Reference your proposal No. FP/SK/WATER/15720/2015 dated 29/09/2015, regarding the project proposal cited above.

After careful consideration of the proposal, the State Government hereby conveys its "In-Principle" approval accorded in terms of General Approval as already conveyed by the Ministry of Environment, Forests & Climate Change, Govt. of India under Section 2 of the 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 0.818 Ha of Forest Land for Augmentation of water supply to Majhitar from Bharey Khola RF in South District of Sikkim by Water Security & PHE Department, Govt. of Sikkim, subject to fulfillment of the following conditions :-**


- (1) The User Agency shall transfer the cost of Rs. **10,69,200=00** (Rupees ten lakhs sixty nine thousand and two hundred) only for Compensatory Afforestation over the degraded forest land double in extent to the area of forest land proposed to be diverted (i.e. 1.64) identified at Mazhitar RF of Melli Range in South (T) Division, to the Adhoc CAMPA through State Forest Department.
- (2) The State Government shall charge Rs. **6,91,210=00** (Rupees six lakhs ninety one thousand two hundred and ten) only for Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency 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 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 or Union Bank of India, Sundar Nagar Branch, New Delhi -110 003 New SB A/c No.344902010105 432).
- (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.25,200=00** (Rupees twenty five thousand and two hundred) 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 DFO concerned.
- (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.

Therefore, you are requested to fulfill the above conditions at the earliest and submit your compliance report for seeking the final approval under Section 2 of Forest (Conservation) Act, 1980. **Diversion of forest land shall not be affected till the final approval is granted in the instant case. Demand Note in respect of Conditions No. (1), (2) & (6) are also enclosed for realization of payment**

This issue with the approval of the authority.

Yours faithfully,


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

Copy to:-

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| 1. The District Collector, South District, Namchi | : | For kind information. | B.S. Siktel, IFS |
| 2. The Conservator of Forest (Territorial) Gangtok. | : | For information. | CF-cum-Nodal Officer |
| 3. The Divisional Forest Officer (Territorial) South Division, Namchi. | : | For information & follow up action. | Forest (Conservation) Act. 1980
Lowu Siktel |