



Government of India
Ministry of Environment, Forest & Climate Change
North Eastern Regional Office
Law-U-Sib, Lumbatngen
Near MTC Workshop, Shillong-793021

Tel(0364)-253-7609,7340/7395/7278.
Fax No(0364)2536041/2536983.
Email:- ro.nez.shil@gmail.com & moefro.shillong@gov.in

भारत सरकार
पर्यावरण , वन एवं जलवायु परिवर्तन मंत्रालय
पूर्वोत्तर क्षेत्रीय कार्यालय, शिलांग
लॉउ सीब लुम्बतंगेन
एम् टी सी के पास ,शिलांग -७९३०२१
टेली(0364) 253-7609,7340/7395/7278
फैक्स (0364)-2536041/2536983
ईमेल: ro.nez.shil@gmail.com/moefro.shillong@gov.in

F.No. 3-SK B 028/2019-SHI 424-25

20th May, 2019

सेवा मे,

प्रधान मुख्य वन संरक्षक/ Principal Chief Conservator of Forests

- सह प्रमुख सचिव/ Cum Principal Secretary

सिक्किम सरकार/Govt of Sikkim

वन और पर्यावरण विभाग/ Deptt. of Forests & Environment,

डेओराली/ Deorali, Gangtok / गंगटोक - 737102.

Sub: Proposal for diversion of 1.422 ha of forest land for construction 66 KV double circuit transmission line from Rorathang to Pakyong (Comprehensive Scheme for strengthening of Transmission and Distribution System in Sikkim) in East District by Energy & Power Department, Govt of Sikkim:

Sir,

This has got reference to the State Govt of Sikkim letter F. No. 1786/FCA/FEWMD/961 dated 09.01.2019 on the subject mentioned above, seeking prior approval of the Central Government in accordance with Section 2 of the FCA, 1980.

After careful consideration of the proposal of the State Government of Sikkim, I am to inform that the Central Government hereby conveys its **"In Principle Approval"** for diversion of 1.422 ha of forest land for construction 66 KV double circuit transmission line from Rorathang to Pakyong (Comprehensive Scheme for strengthening of Transmission and Distribution System in Sikkim) in East District by Energy & Power Department, Govt of Sikkim subject to the following conditions:

- (i) The User Agency shall transfer the cost of compensatory afforestation over the double the degraded land of 2.844 ha identified at Chuba Khasmal in Pakyong(T) Range East (T) Division to the Adhoc CAMPA through e-payment and inform this office through the State Forest Department.
- (ii) The State Govt shall charge the Net Present Value of the forest land diverted under this proposal from the User Agency as per the Judgment of the Hon'ble Supreme Court of India dated 28.03.2008 & 09.05.2008 in IA No.566 in WP (C) No.202/1995 and as per the guideline issued by this Ministry vide letter No. 5-3/2001-FC dated 05.02.2009 in this regard.

- (iii) All the above funds received from the User Agency along with the funds for execution for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under the transmission line as prepared by the State Forest Department under the project shall be transferred through e-portal to Ad-hoc CAMPA Account of the Sikkim. Amount deposited through other mode will not be accepted as compliance of the Stae-I clearance.
- (iv) The User Agency shall bear and deposit the amount of the cost of demarcation of the land proposed for diversion directly to the concerned Divisional Forest Officer. The concerned Divisional Forest Officer shall demarcate the land proposed for diversion on the ground by erecting at least 4' high cement-concrete pillars duly numbered, forward and backward bearing and distance from pillar to pillar written on the pillars and DGPS co-ordinates to be inscribed on the pillars. The competent authority shall verify and issue a certificate to this effect. Photographs showing permanent boundary pillars with GPS co-ordinates to be submitted.
- (v) The charges for felling, logging and transportation of project affected trees should be collected from the User Agency at the rates approved by the State Govt and deposited with the DFO concerned for utilization immediately following the diversion of forest land.
- (vi) The certificates for the payment in respect to Sl. No. (iv) and (v) shall be furnished to this office by the user agency.
- (vii) The User Agency shall obtain Environment Clearance as per the project provisions of the Environment (Protection) Act, 1986, if required under the said Act.
- (viii) No labour camp shall be established on the forest land.
- (ix) The felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of State Forest Department Forest.
- (x) Sufficient quantity of firewood, preferably the alternate fuel, shall be provided by the user agency to the labourers after purchasing the same from the State Forest Department or the Forest development Corporation or any other legal source of alternate fuel.
- (xi) The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person.
- (xii) The lay out plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xiii) The User Agency will have to obtain the Forest (Conservation) Act, 1980 clearance for stone, river sand, river boulders in forest land, if necessary.
- (xiv) As per Ministry's letter No. 11-30/96-FC(Pt) dt. 14.9.2001, if the compliance of stipulated conditions is awaited from the State Govt 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.

- (xv) All other clearance/NOCs under different applicable rules/regulations /local laws and under Forest Dwellers (Recognition of Forest Rights) Act, 2006 as required vide MoEF, New Delhi guideline No.11-9/1998-FC(pt) dated 03.08.2009 shall be complied with.

After receipt of the compliance report from the State Government on fulfillment of the conditions mentioned above, final approval will be issued in this regard. Formal transfer of forest land shall not be effected by the State Govt till final approval orders approving the diversion of forest land are issued by the Central Government.

This has the approval of Additional Director General of Forests (Central).

भवदीय,



(आर. एल. सांगा)/R.L. Sanga

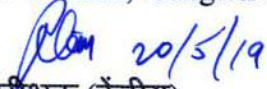
वन उप महानिरीक्षक (केंद्रीय)

/Deputy Inspector General of Forests(C)

Copy to:

- (i) वन संरक्षक/ Conservator of Forests-cum Nodal Officer -सिक्किम सरकार/Govt of Sikkim, वन और पर्यावरण विभाग/ Deptt. of Forests & Environment, डेओराली/ Deorali, Gangtok / गंगटोक - 737102.

9/c



वन उप महानिरीक्षक (केंद्रीय)

/Deputy Inspector General of Forests(C)