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GOVERNMENT OF SIKKIM
FORESTS AND ENVIRONMENT DEPARTMENT
FOREST SECRETARIAT, DEORALI, GANGTOK-737 102
Email: fca.sikkim@gmail.com

Ref. No. 1776/FCA/F&ED/..9.....

Dated: 25/1/2025

To,

The APCCF-cum-Nodal Officer,
Van (Sanrakshan Evam Samvardhan) Adhiniyam,
Forest and Environment Department,
Government of Sikkim.

Sub: Diversion of 0.2987 Ha of forest land for construction of Rural Connectivity Road from Kabirhang to Ratomatey School in West District of Sikkim by Rural Development Department, Government of Sikkim - Final Approval-reg.

User Agency: Rural Development Department, Government of Sikkim.
Proposal No.FP/SK/ROAD/32936/2018

Sir,

This is in continuation to this office letter No. 1776/FCA/F&ED/104-107 dated 27/01/2021 and after careful examination of the aforesaid proposal on the basis of compliance of conditions fulfilled by the user agency in completeness as stipulated in the Stage-I (In-Principle) approval, the State Government hereby accords the **Stage-II (Final Approval)** for diversion of 0.2987 Ha of forest land for construction of **Rural Connectivity Road from Kabirhang to Ratomatey School in West District of Sikkim by Rural Development Department, Government of Sikkim** under Section 2 of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and in terms of power delegated to the State Government by the Ministry of Environment, Forest & Climate Change, New Delhi under guidelines issued vide letter No.FC-11/160/2019-FC dated 23/06/2021, subject to the following conditions:-

1. Legal status of the forest land shall remain unchanged.
2. **Compensatory afforestation:** Compensatory Afforestation (Avenue Plantation) shall be taken up by the Forest Department over 1km in degraded forest land identified at SPWD Road (Pelling-Darap) under Gyalshing Range, Gyalshing (T) Division at the cost of the user agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.
3. The Forest and Environment Department shall ensure that compliance of Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF&CC, Government of India in this regard.
4. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.
5. The User Agency shall restrict the felling of trees to minimum number which are unavoidable in the diverted forest land the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the user Agency with the State Forest Department.
6. The User Agency shall obtain the Environment Clearance under Environment (Protection) Act, 1986, if applicable.
7. The layout of the proposal shall be changed without the prior approval of the State /Central Government.
8. No labour camp shall be established inside the forest land.
9. Sufficient Firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department of the Forest development corporation or any other legal source of alternate fuel.

10. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
11. The period of diversion under this approval shall be co-terminus with the period of the project life.
12. The diverted forest land shall not be used for any purpose other than that specified in the project proposal.
13. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of the Government of India.
14. The User Agency and the State Government shall ensure compliance to provisions of all the Acts, Rules, Regulations, Guidelines, Hon'ble Court Orders(s) and National Green Tribunal Orders(s) pertaining to this project, if any, for the time in force, as applicable to the project.
15. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of Comprehensive Guidelines of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.
16. **Any other direction issued by the MoEF&CC as a result of Hon'ble Supreme Court Order will have bearing on this approval.**
17. Any other condition that the State forest Department and Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests and wildlife.

This approval for diversion of forest land is subject to the fulfillment of stipulated conditions mentioned in this approval letter. Therefore, in the event of non-compliance of any of the conditions laid out in this approval, the State Government, in consultation with the Ministry of Environment, Forest & Climate Change, Government of India may withdraw the approval and stop the non-forest activity being carried out in the diverted forest land besides initiating the legal action as per provisions of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

Yours sincerely,



(Pradeep Kumar, IFS)
PCCF-cum-Pr. Secretary
Forest and Environment Department, GoS

PCCF-cum-Principal Secretary
Forest & Environment Deptt.
Government of Sikkim

Copy to:-

1. Dy. DGF, Regional office
2. CEO, MoEF&CC, Indira Paryavaran Bhawan, Jor Bagh, New Delhi-110003
3. CF (Territorial), F&ED
4. DFO (T) Gyalshing, F&ED
- ✓ 5. File

For information
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For information with a direction to carryout handing/taking of diverted forest land as per the prescribed format attached herewith.

6. Guard File.