



GOVERNMENT OF SIKKIM

OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FOREST-cum-PRINCIPAL SECRETARY
FORESTS, ENVIRONMENT & WILDLIFE MANAGEMENT DEPARTMENT

FOREST SECRETARIAT, DEORALI, GANGTOK-737 102 [PHONE: 281261 (O), 202590 (R) FAX: 03592 – 281778]

Ref. No. 1567/FCA/FEWMD/.....672-676

Dated...19.02.....2016

To,

The Secretary
Road & Bridges Department
Nirman Bhawan
GANGTOK.

Subject: **Proposal for diversion of 0.5521 Ha of Forest Land for construction/
widening of two lane Melli – Manpur – Namchi Road (32 km) in South
District of Sikkim by Road & Bridges Department**

Sir,

Reference your proposal No FP/SK/ROAD/12773/2015 received through on-line/off line mode for seeking the approval of the Central Govt for the aforesaid project proposal.

After careful examination of your proposal in accordance with the Rules/Guidelines framed under the Forest (Conservation) Act 1980 and on completion of procedural formalities as required under the said Act, 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 with the Guidelines vide Letter F No.11-9/98-FC dated the 13th February 2014, for diversion of 0.5521 ha of forest land for construction/widening of two lane road from Melli-Manpur-Namchi Road (32 Km) in South District of Sikkim subject to compliance of conditions stipulated here as under:-

- (i) The legal status of forest land proposed for diversion shall remain unchanged.
- (ii) The User agency shall release the amount for Rs.14,77,718.00 (Rupees fourteen lakh, seventy-seven thousand seven hundred and eighteen) only towards the cost of the compensatory afforestation to be raised mandatorily over the degraded forest land identified at Salghari RF under Melli Range. A Demand Note is enclosed herewith for reference.


- (iii) The User agency shall release the Net Present Value of the forest land to be diverted for project purposes for Rs.4,66,525.00 (Rupees four lakhs, sixty-six thousand, five hundred twenty five) only as per the Judgement Orders of the Hon'ble Supreme Court dated 28-3-2008/09-05-2008 in IA No.566 WP (C) 202/1995 and subsequent Guidelines communicated by the Ministry in its Letter No.5-3/2007-FC dated 05-02-2009 thereon. A Demand Note is enclosed herewith for needful action
- (iv) At the time of payment, the User agency shall furnish an Undertaking to pay the additional amount of NPV, if any, that may become due after finalization of revised rates of NPV by the competent authority and communicated by the Ministry thereon.
- (v) All the above funds, charged in the instant case, shall be transferred to the Union Bank of India, Sundernagar, New Delhi to be deposited with the State-specific CAF account [SB 344902010105 432] maintained by the Ad Hoc CAMPA as per the CHALLAN generated under the "e-Payment" system of the Ministry.
- (vi) The boundary of forest land to be diverted under the project shall be demarcated on the ground by using DGPS and erecting four feet high reinforcement cement concrete pillars super inscribed with serial numbers, back/front bearings and distance from pillar to pillar.
- (vii) The User agency shall pay the cost for cutting, felling and extraction of project affected trees for Rs. 98,520.00 (Rupees ninety eight thousand, five hundred and twenty) only by separate Demand Draft payable in favour of the Principal CCF-cum-Principal Secretary.
- (viii) As far as practicable, minimum tree felling shall be carried out for the project purposes that too in presence of Forest Officer deputed for felling operation.
- (ix) The expenditure likely to be involved for boundary demarcation of forest land, stone pillars and cost of damage trees etc shall be borne by the User agency and the payment thereof to be released by separate Demand Draft as assessed by the respective Forest Division.
- (x) The User agency shall obtain the Environment Clearance as per the provisions of Environment (Protection) Act 1980 before consideration of final approval, if required, in the instant case.

- (xi) The User agency will have to obtain the Forest (Conservation) Act 1980 clearance for stone, river sand, river bounders in forest land, if necessary.
- (xii) As per the Ministry's Letter No.11-30/96-FC (Pt) dated 14-9-2001, if the compliance of conditions stipulated in the instant project proposal, is awaited for more than 5 (five) years, the In-principle approval will be summarily revoked considering that the User agency is no longer interested for the project.
- (xiii) The User agency shall be at liberty to comply any other condition imposed by the State Forest Department/State Govt or the concerned Regional Office of the Ministry from time to time in the interest of conservation, protection and development of forest.

After fulfilment 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 the instant case.

This issue is initiated within the delegated powers of the State Govt as conveyed by the Ministry of Environment Forests & Climate Change, Govt of India with the Guidelines contained in its letter referred to above.

Yours faithfully


(B. S. Siktel, IFS) 19.2.16

Conservator of Forests-cum-Nodal Officer
Forest (Conservation) Act, 1980

B.S. Siktel, IFS
CF-cum-Nodal Officer
Forest (Conservation) Act. 1980
Govt. of Sikkim

Copy to:-

- 1) Addl Principal CCF (Central), MoEFCC, NERO, Shillong for information.
- 2) Chief Conservator of Forests (Territorial), FEWMD, Gangtok for information
- 3) District Collector, South District, Namchi : for information.
- 4) Conservator of Forests (Territorial) : -do-
- 5) DFO (T) South Division, Namchi : for information and follow up action accordingly.