



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. 1674/FCA/FEWMD/.....561

Date.....31/12/.....2015

To,

The Principal Secretary  
Department of Labour  
Govt of Sikkim  
GANGTOK.

**Subject: Proposal for diversion of 0.031 Ha of Forest Land for construction of Skill Development and Public Centre at 7<sup>th</sup> Mile, JN Road in East Sikkim by Labour Department (A govt Department).**

Sir,

Reference your Letter No.GoS/DL/2015/55/XXXXII/38 dated 19-09-2015.

After careful examination of the proposal [No.FP/SK/SCH/7329/2014] 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 general approval as conveyed by the Ministry of Environment, Forests & Climate Change, Govt of India, New Delhi in its Letter F. No.11-9/98-FC dated the 13<sup>th</sup> February 2014, for diversion of 0.031 ha of forest land for construction of Skill Development and Public Facilities Centre at 7<sup>th</sup> Mile JN Road in East Sikkim by Labour Department, Government of Sikkim subject to compliance of conditions stipulated here under:-

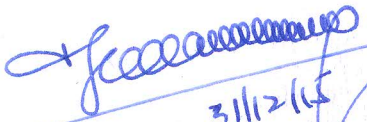
- (i). The status of forest land proposed to be diverted under the project shall remain unchanged as per the provision of Forest Act/Rules.
- (ii). The User agency shall release the payment for Rs.5,351.00 (Rupees five thousand three hundred and fifty one) only towards the cost of the compensatory afforestation to be raised mandatorily over the degraded forest land identified at Lagyap RF under Kyongnosla Range in lieu of forest land to be diverted for the project purposes.
- (iii). The User agency shall release the payment for Rs.20,367.00 (Rupees twenty thousand three hundred and sixty seven) only being the Net Present Value of the forest land charged 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.
- (iv). The User agency shall furnish an Undertaking at the time of making payment, to pay the additional amount of NPV, if any, that may become due after finalization of the same by the Hon'ble Supreme Court in this respect.

- (v). 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. A soft copy of the Geo-referenced map in shape file shall be provided in this respect.
- (vi). All the above funds recovered from the User agency in the instant proposal, shall be transferred to the State-specific CAF account [SB 344902010105 432] maintained by the Ad Hoc CAMPA with the Union Bank of India, Sundernagar, New Delhi.
- (vii). The User agency shall obtain the Environmental Clearance under the Environment (Protection) Act 1986, if applicable.
- (viii). The User agency shall obtain the Forest clearance under the Forest (Conservation) Act 1980 for removal, if any, of stones, river sand and river boulders in the forest land.
- (ix). No felling of trees is involved in the instant case as per the certificate furnished by the User agency and the concerned ACF/DFO.
- (x). 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 in the project proposal.
- (xi). The User agency shall <sup>have</sup> ~~be at liberty~~ to comply with any other condition imposed by the State Govt for the betterment of environment and also for the settlement of rights/claims, if any, over the forest land under FRA-2006 and any Act & Rules etc as may be applicable in the instant project proposal. An undertaking shall be furnished by the User agency in this respect.

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 this respect.

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

Yours faithfully

  
3/11/2015

(Dr. Thomas Chandy, IFS)

Principal CCF-cum-Principal Secretary

Dr. Thomas Chandy  
PCCF-cum-Principal Secretary  
Forest, Env W/L Mangt. Deptt.

Copy to:-

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|---|---|
| 1) District Collector, East District, Gangtok | : for information                                   |
| 2) Conservator of Forests (Territorial)       | : -do-  |
| 3) DFO (T) East Division, Gangtok             | : for information and follow up action accordingly. |