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GOVERNMENT OF SIKKIM
OFFICE OF THE SECRETARY
FORESTS AND ENVIRONMENT DEPARTMENT
FOREST SECRETARIAT, DEORALI, GANGTOK-737 102
[E-mail ID: fcasikkim@gmail.com]

Ref. No. 1875/FCA/F&ED/84-87

Dated: 24/11/2020

To,

The PCE-cum-Secretary,
Roads & Bridges Department,
Govt. of Sikkim,
Gangtok.

Sub : Proposal for diversion of 0.288 Ha of forest land for construction of road from Rolep Bridge to Ziling Busty under Pakyong Sub-Division (1 Km) in East District of Sikkim by Roads & Bridges Department, Govt. of Sikkim - In Principle Approval reg.

Sir,

Reference your proposal No. FP/SK/ROAD/44673/2020 received through on-line/off line mode and after careful examination of your proposal, 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 [vide letter No.F.No.11-9/98 FC, dated 03/01/2005 and subsequently under Chapter 4 para 4.3 clause 'k' of Forest (Conservation) Rules 2003, for diversion of 0.288 Ha of forest land for construction of road from Rolep Bridge to Ziling Busty under Pakyong Sub-Division (1 Km) in East District of Sikkim by Roads & Bridges Department, Govt. of Sikkim, subject to fulfillment of following conditions :--

- (1) The User Agency shall deposit the cost of **Rs. 1,23,417.00** (Rupees one lakh twenty eight thousand four hundred and seventeen) only for creation and maintenance of Compensatory Afforestation Scheme over an area of 2 Km identified at Chumbung to Budang Road Reserve under Soreng (T) Range in West Territorial Division.
- (2) The User Agency shall pay the payment of **Rs. 1,89,216.00** (Rupees one lakhs eighty nine thousand and two hundred and sixteen) only for Net Present Value (NPV) of the forest land being diverted for the project proposal 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 above funds under the project towards compensatory leveies (CA and NPV, etc) shall be deposited in the Compensatory Afforestation Fund of Sikkim State by Demand Draft/Cheque in favour of Secretary, Forest & Environment Govt. of Sikkim duly generating E- Challan through e-portal. Payment details as generated in challan shall be mentioned.

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- (5) The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- (6) No labour camp shall be established on the forest land.
- (7) The charges for felling, logging and transportation of project affected trees for shall be paid by the User Agency, if required.
- (8) 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.
- (9) The user agency shall identify muck disposal site and prepare Muck Disposal Management Plan to be approved/agreed by the State Govt. for the aforesaid project proposal, if required.
- (10) 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.
- (11) The user agency will have to obtain the Forest (Conservation) Act, 1980 clearance for extraction/quarry of stone, river sand, river boulder in forest land, if necessary.
- (12) 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.
- (13) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After fulfillment of the above conditions in completeness, the User agency shall submit the **compliance report** for seeking the Final Approval under General Approval under the Forest (Conservation) Act, 1980 and Forest (Conservation) Rules, 2003.

Diversion of forest land shall not be effected till the Final Approval is granted by the State Govt. in this respect. Demand Note in respect of Conditions No. (1) & (2) are also enclosed for realization of payment.

The IPA is issued within the delegated powers of the State Govt. as conveyed by the Ministry of Environment Forests & Climate Change, Govt. of India with the Guidelines, referred to herein above, please.

Yours faithfully,

Sd/-(D. Manjunatha, IFS),
CF-cum-Nodal Officer (FCA)

Copy to:-

1. Secretary/F&ED
2. Conservator of Forest (T), Gangtok
3. DFO (Territorial) East Division
4. ✓ File

For information, please.)

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For information & follow up action.


(D. Manjunatha, IFS),
CF-cum-Nodal Officer (FCA)

Part - V

(To be filled in by the Secretary in charge of Forest Department or by any other authorized Officer of the State Government not below the rank of an Under Secretary)

18. Recommendation of the State Government :
(Adverse comments made by any officer or authority in Part – B or Part-C or Part-D above should be specifically commented upon)

The proposal for diversion of 0.288 Ha of Forest Land for construction of road from Rolep Bridge to Ziling Busty under Pakyong Sub-Division (1 Km) in East District of Sikkim by Roads & Bridges Department, Govt. of Sikkim, is accepted and recommended for forest clearance under the General Approval under the Forest (Conservation) Act, 1980 & Forest (Conservation) Rules 2003, alongwith conditions as detailed in Part IV and whether any damage to forest crop or terrain outside the diverted land responsibility will be of the user agency to rectify and compensate for the same.

Signature :



Name & Designation : Y.P. Gurung, IFS
Secretary.

Date: 11.11.2020

Place: Gangtok (Sikkim)

Y.P. Gurung, IFS
Secretary
Forests & Environment Deptt.
Govt. of Sikkim
Official Seal of Sikkim



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

DEMAND NOTE NO. III

[Rule 8(b) of Forest (Conservation) Amendment Rules 2014]

Name of User Agency : The PCE-cum-Secretary,
Roads & Bridges Department,
Govt. of Sikkim,
Gangtok

Name of project proposal: **Proposal for diversion of 0.288 ha of Forest land for construction of link road from Rolep Bridge to Ziling Busty under Pakyong Sub-Division in East Sikkim by Road & Bridges Department, Govt. of Sikkim.**

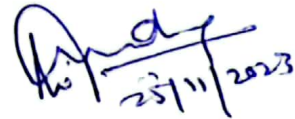
As per Stage-I (In-Principle) approval accorded by the State Govt. vide letter No.1875/FCA/F&ED/84-87 dated 21.11.2020 under Section 2 of Forest (Conservation) Act, 1980 and in compliance to revised minimum daily wage rates vide Notification No. 29/DL dated 14.09.2022, and recent guidelines issued by MoEF&CC for revision of rates of Net Present Value (NPV) vide No. 5-3/2011-FC(Vol-I), compensatory levies have been revised and is hereby charged as under:-

Sl. No.	Charges of compensatory levies	Stage-I Condition No of IPA	Amount (Rs.)
1	Revised Compensatory afforestation scheme	(1)	2,21,148.00
2	Revised Net Present Value (NPV)	(2)	2,89,500.00
TOTAL			5,10,648.00

(Rupees nine five lakhs ten thousand sis hundred and fourty eight) only

This is in supersession to the earlier issued Demand Note I.

The payment of the compensatory levies shall be transferred to Ad hoc CAMPA through e-portal duly generating E- Challan. Payment details as per challan along with the compliance report may be furnished for seeking the Final Approval under the said Act accordingly, please.


(Brijendra Swaroop, IFS),
APCCF-cum-Nodal Officer (FCA)
Brijendra Swaroop, IFS
APCCF, Env. & S.C., SBFP,
SF, Plng, M&E.
Forests & Environment Department
Government of Sikkim.