



**GOVERNMENT OF SIKKIM
OFFICE OF THE PCCF-cum-PRINCIPAL SECRETARY
FORESTS AND ENVIRONMENT DEPARTMENT
FOREST SECRETARIAT, DEORALI, GANGTOK-737 102**

Ref. No. 1819/FCA/F&ED/.....

Dated:...../2020

To,

The PCE-cum-Secretary,
Energy & Power Department,
Government of Sikkim,
Gangtok.

Sub : Proposal for diversion of 0.4752 Ha (South=0.3996 Ha + West=0.0756 Ha) of Forest Land for construction of LILO of 132 KV Rangit-Melli Transmission Line at Legship Pool Sub-station in South/West District of Sikkim by Energy & Power Department, Govt. of Sikkim - In Principle approval reg.

Sir,

Reference your [No. FP/SK/TRANS/38567/2019 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 Forest (Conservation) Rules, 2003] for **diversion of 0.4752 Ha (South=0.3996 Ha + West=0.0756 Ha) of Forest Land for construction of LILO of 132 KV Rangit-Melli Transmission Line at Legship Pool Sub-station in South/West District of Sikkim by Energy & Power Department, Govt. of Sikkim**, subject to fulfillment of following conditions:-

- (i) Legal status of the forest land shall remain unchanged.
- (ii) The User Agency shall transfer the cost of **Rs. 2,24,671.00 (1,35,299.00 [South] + 89,372.00 [West])** for Compensatory Afforestation over 0.8 Ha degraded forest land identified at Tingmo Khasmal in Ravongla Range, South Division & for Avenue Plantation (1 Km) identified at Legship-Reshi road under Gyalshing (T) Range West Sikkim shall be deposited in favour of the Principal PCCF-cum-Pr. Secretary, Forests & Environment Department Govt. of Sikkim.
- (iii) The User Agency shall transfer the cost of dwarf species plantation for **Rs. 45,337.00** (Rupees forty five thousand three hundred and thirty seven) only shall be deposited in favour of the Principal PCCF-cum-Pr. Secretary, Forests & Environment Department Govt. of Sikkim.
- (iv) The User Agency shall transfer the cost of Net Present Value (NPV) for **Rs. 3,12,206.00 (2,62,537.00 [South]+ 49,669.00 [West])** for the forest land diverted under this proposal from the User Agency as per the Judgment of the Hon'ble Supreme Court of India date 23.03.2008 & 09.05.2008 in IA No.566 in WP (C) No.202/1995 and as per the guideline issued by the Ministry vide letter No. 5-3/2007-FC dated 05/02/2009 in this regard.
- (v) Additional amount of NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, will be charged by the State Govt from the User Agency. The User Agency shall furnish an undertaking to this effect.

- (vi) All the above funds under the project towards compensatory leveies (CA and dwarf plantation cost, NPV, etc) shall be transferred/deposited to State Compensatory Afforestation Fund of Sikkim.
- (vii) 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.
- (viii) The User Agency shall deposit for charges for felling, logging and transportation of project affected trees for **Rs. 1,67,601.00 (1,29,865.00 [South]+ 37,736.00 [West])** in favor of PCCF-cum-Principal Secretary, at the rates approved by the State Govt. for utilization immediately following the diversion of forest land.
- (ix) The expenditure like boundary walls, stone pillars, demarcation charges, cost of damage of trees the funds on these accounts should, be deposited with the DFO concerned.
- (x) The User Agency shall restrict the felling of trees to minimum number in the diverted forest land and 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.
- (xi) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (xii) The User Agency in consultation with the State Forest Department shall prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under the transmission line for execution of the said scheme by the State Forest Department.
- (xiii) The User Agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
- (xiv) The User Agency shall comply with the guidelines for laying transmission through forest areas issued by Ministry vide letter no. 7-25/2012-FC dated 05/05/2014 & 19/11/2014.
- (xv) The User Agency shall obtain the Environmental Clearance under Environment (Protection) Act, 1986, if applicable.
- (xvi) The layout of the proposal shall not be changed without the prior approval of the State Government.
- (xvii) No labour camps shall be established on the forest land.
- (xviii) Sufficient firewood, preferably the alternative fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternative fuel.
- (xix) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (xx) The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.

- (xxi) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (xxii) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of State Govt.
- (xxiii) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF & CC Guidelines F No. 11-42/2017-FC dated 29/01/2018
- (xxiv) Any other conditions that the State Forest & Environment Department, Govt. of Sikkim may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

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, by the State Govt. **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. (ii), (iii), (iv) & (viii) are also enclosed for realization of payment.**

This 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 above.

Yours faithfully,

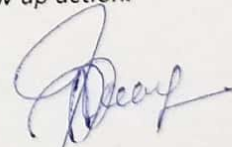
Sd/- (Y.P. Gurung, IFS),
CCF-cum-Nodal Officer (FCA)

Dated: 26/2/2020

Memo No. 1819/FCA/F&ED/104-108

Copy to:-

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|---|---|-------------------------------------|
| 1. Addl. PCCF(Central), MoEF&CC, Shillong | : | For information, please |
| 2. PCCF-cum-Pr. Secretary/F&ED | : | -do- |
| 3. Conservator of Forest (T), Gangtok | : | For information. |
| ✓ 4. DFO (South/West Territorial) | : | For information & follow up action. |
| 5. File | | |


(Y.P. Gurung, IFS),
CCF-cum-Nodal Office (FCA)