



45

76

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

Ref. No. 1838/FCA/F&ED/.....  
To,

Dated:...../2020

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

**Sub :** Proposal for diversion of 0.186 Ha of Forest Land for "Construction of road from Singleybong to Bagey khola NH-10 via Lower Singleybong Toribari Simalitar (2Km) in East District of Sikkim by Roads & Bridges Department, Govt. of Sikkim - In Principle approval reg.

Sir,

Reference your proposal No. **FP/SK/ROAD/40478/2019** 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 subsequently under Chapter 4 para 4.3 clause 'k' of Forest (Conservation) Rules 2003, for **diversion of 0.186 Ha of Forest Land for "Construction of road from Singleybong to Bagey Khola NH-10 via Lower Singleybong Toribari Simalitar (2Km) in East District of Sikkim by Roads & Bridges Department, Govt. of Sikkim**, subject to fulfillment of following conditions :--

- (1) The User Agency shall pay and deposit of **Rs. 98,944.00** (Rupees ninety eight thousand nine hundred and forty four) only for cost of Compensatory Afforestation Scheme for raising and maintenance over the double the area diverted i.e. 0.372 Ha. in degraded forest land identified at Dikling RF under Singtam (T) Range, East (T) Division.
- (2) The User Agency shall pay and transfer the payment of **Rs. 1,22,202.00** (Rupees one lakh twenty two thousand two hundred and two) 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.

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 payment as above towards compensatory levies (CA and NPV) shall be deposited through Demand Draft/Cheque in favour of PCCF-cum-Principal Secretary, Forest & Environment Govt. of Sikkim for onward deposition in the Compensatory Afforestation Fund of Sikkim State.
- (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.

*Sanjay Singtam*

Copy to.

1. Secretary, F&ED, GoS: for kind information



- (7) The charges for felling, logging and transportation of project affected trees for Rs. 59,685.00 (Rupees fifty nine thousand six hundred and eighty five) only shall be paid by the User Agency at the rates approved by the State Govt. and deposited separately in favour of the Principal PCCF-cum-Pr. Secretary, Forests Environment & Wildlife Management Department Govt of Sikkim, Gangtok.
- (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 duly 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 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) & (7) 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 above.

Yours faithfully,

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

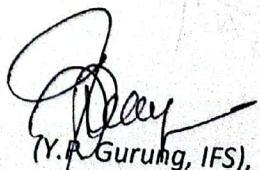
Dated: 10/6/2020

Memo No. 1838/FCA/F&ED/36-39

Copy to:-

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

: For information, please  
: For information  
: -do-

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