



Government of India

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भारत सरकार

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लॉड सीब लुम्बतंगेन
एम् टी सी के पास, शिलांग -७९३०२१
क्स/Fax -0364- 2536041/2536983

No. 3-SK C 006/2020-SHI/455-56

10th June, 2020

सेवा में,

प्रधान मुख्य वन संरक्षक- सह प्रमुख सचिव/ Principal Secretary-cum PCCF,

सिक्किम सरकार/ Government of Sikkim,

वन पर्यावरण और वन्यजीव प्रबंधन विभाग / Department of Forests, Env. & Wildlife Management,

डेओराली/ Deorali, गंगटोक/ Gangtok,

सिक्किम /Sikkim- 737102.

Sub : Proposal for diversion of 16.9806 ha (East Dist=11.858 ha + South Dist = 5.1226 ha) of forest land for laying of 220 KV Double Circuit Samardong to Dikchu Pool Transmission in East and South Districts of Sikkim by Energy & Power Department, Govt of Sikkim.

Sir,

This has got reference to the State Government's letter No. 1815/FCA/FEWMD/2019/1474 dated 04.02.2020, even no. 05.03.2020 and even no. 1598 dated 19.03.2020 (received on 08.06.2020) on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

2. After careful examination of the proposal of the State Government of Sikkim by the Regional Empowered Committee (REC) in its meeting held on 05.03.2020, **In-principle / Stage-I** approval of the Central Government is hereby granted for diversion of 16.9806 ha (East Dist=11.858 ha + South Dist = 5.1226 ha) of forest land for laying of 220 KV Double Circuit Samardong to Dikchu Pool Transmission in East and South Districts of Sikkim by Energy & Power Department, Govt of Sikkim, subject to the following conditions:

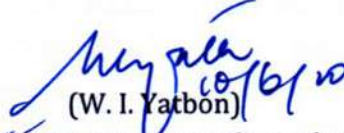
- (1) Legal status of the forest land shall remain unchanged.
- (2) Compensatory afforestation shall be taken up by the Forest Department over double the area diverted **i.e. 34.0 ha** degraded forest land identified at 2 (two) locations i.e. 24 ha at Yali RF, Gangtok (T), East District & 10 ha at Tendong RF, Namchi, South District at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- (3) The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and dwarf species plantation scheme, demarcation and erection of permanent pillars if required on the CA shall be deposited in advance by the project authority in the Compensatory Afforestation Fund of Sikkim, only through E-portal. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

- (4) The State Govt shall charge the Net Present Value (NPV) for the 16.9806 ha forest area to be diverted under the proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 and 09.05.2008 in IA No. 566 in Writ Petition (Civil) No. 202/1995 and as per the guidelines issued by this Ministry vide its letter No. 5-1/1998-FC (Pt.II) dated 18.09.2003, as well as letter No. 5-2/2006-FC dated 03.10.2006 and 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal to CAMPA account of the State concerned.
- (5) 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, shall be charged by the State Govt from the User Agency. The User Agency shall furnish an undertaking to this effect.
- (6) All the funds received from the User Agency under the project towards compensatory levies (CA and dwarf plantation cost, NPV, etc) shall be transferred/deposited to CAMPA fund only through e-portal mode.
- (7) 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.
- (8) The charges for felling, logging and transportation of project affected trees should be collected from the User Agency at the rates approved by the State Govt and deposited with the DFO concerned for utilization immediately following the diversion of forest land.
- (9) 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.
- (10) 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.
- (11) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (12) 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.
- (13) 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.
- (14) 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.
- (15) The User Agency shall obtain the Environmental Clearance under Environment (Protection) Act, 1986, if applicable.
- (16) The lay out of the proposal shall not be changed without the prior approval of the Central Government.
- (17) No labour camps shall be established on the forest land.
- (18) 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.
- (19) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

- (20) 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.
- (21) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (22) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
- (23) 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.
- (24) Any other conditions that the North Eastern Regional Office, Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- (25) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

3. After receipt of the compliance report from the State Government on fulfilment of the conditions mentioned above, final approval will be issued in this regard. Formal transfer of forest land shall not be effected by the State Govt till final approval orders approving the diversion of forest land are issued by the Central Government.

भवदीय,


(W. I. Yatbon)

उप वन महानिरीक्षक (केंद्रीय)/ Deputy Inspector General of Forests (C)

Copy to:

सीसीएफ-सह-नोडल अधिकारी /CCF -cum Nodal Officer,सिक्किम सरकार/ Government of Sikkim,वन पर्यावरण विभाग और वन्यजीव प्रबंधन/ Department of Forests, Env. & Wildlife Management, डेओराली/ Deorali,गंगटोक/ Gangtok,सिक्किम /Sikkim- 737102.


उप वन महानिरीक्षक (केंद्रीय)/ Deputy Inspector General of Forests (C)

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