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GOVERNMENT OF SIKKIM
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS-cum-PRINCIPAL SECRETARY
FORESTS, ENVIRONMENT & WILDLIFE MANAGEMENT DEPARTMENT

Forest Secretariat, Deorali – Gangtok, (SIKKIM) Pin 737 102,

[Ph 281778, 281145, Fax No. 03592-281145, E-mail ID: fcasikkim@gmail.com]

Ref. No. 1721/FCA/FEWMD/.....186-189

Dated.....09/05/.....2018

To,

The Secretary,
Urban Development & Housing,
Govt. of Sikkim, Gangtok.

Sub: **Proposal for diversion of 0.441 ha. of Forest Land for construction of link road from Forest Colony to Indira Bye Pass Road in East District of Sikkim by Urban Development & Housing Department, Govt. of Sikkim - In-Principle Approval reg.**

Sir,

Reference your [No. FP/SK/ROAD/21143/2016 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 letter No.F.No.11-9/98-FC dated 13/2/2014 for **diversion of 0.441 ha. of Forest Land for construction of link road from Forest Colony to Indira Bye Pass Road in East District of Sikkim by Urban Development & Housing Department, Govt. of Sikkim**, subject to fulfilment of following conditions :-

- (i) The User agency shall transfer the payment for Rs. **1,43,537.00** (Rupees one lakh forty three thousand five hundred and thirty seven) only towards the cost of the Avenue Plantation with bamboo (basket) tree guard to be raised over the degraded forest land i.e. 0.50 Km (0.05 Ha) identified at Indira Bye Pass road, Burtuk under Gangtok (T) Range, in East Territorial Division to the Adhoc CAMPA through State Forest Department.
- (ii) The User agency shall transfer the Net Present Value of the forest land to be diverted for project purposes for Rs. **2,89,737.00** (Rupees two lakhs eighty nine thousand seven hundred and thirty seven) only 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.
- (iii) The User agency shall furnish an Undertaking to pay the additional amount of NPV, if any, that may become due after finalization of revised rates of NPV and effective date for its application by the Ministry.
- (iv) 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 by the user agency at the project cost.

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- (v) All the above funds shall be remitted to the Corporation Bank, CGO Complex, Phase – I, Lodhi Road, New Delhi maintained by the Ad-hoc CAMPA through “e-payment” module. As per guideline communicated by the Ad -hoc CAMPA ,MoEF&CC, Govt. of India in its letter No. 12-2/2010-CAMP A dated 20th February’2017, the payment made other than through “e-payment” module shall not be taken into account for grant of Final Approval or working permission under the provision of Forest (Conservation) Act, 1980.
- (vi) The charges for felling, logging and transportation of project affected trees for **Rs. 2,40,250.00** (Rupees two lakhs forty thousand two hundred and fifty) shall be release by the User Agency at the rates approved by the State Govt. only separately in favour of the Principal Secretary-cum-PCCF, Govt of Sikkim, Forests Environment & Wildlife Management Department.
- (vii) 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.
- (viii) The User agency shall obtain the Environment Clearance as per the provisions of Environment (Protection) Act 1986, if required.
- (ix) The User agency shall have to obtain the Forest (Conservation) Act 1980 clearance for removal of stone, river sand, river boulders in forest land, if necessary.
- (x) The User agency shall comply any other condition imposed by the State Forest Department/State Govt or concerned Regional Office of the Ministry in the interest of the forest conservation, protection and propagation of the locality.
- (xi) 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 for the project.
- (xii) If any infrastructure of the Forests Environment & Wildlife Management Department (FEWMD) is damaged during the road construction, the user agency will re-construct the same at their own cost.

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. Demand Note in respect of Conditions No. (i) & (ii) are also enclosed for realization of payment.**

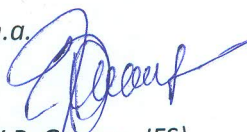
This issued within the delegated powers of the State Govt as conveyed by the Ministry of Environment Forests & Climate Change, Govt of India with the Guidelines, referred to above.

Yours faithfully,

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

Copy to:-

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| 1) The Addl Principal CCF (Central),
MoEFCC, NERO, Shillong. | : For information, please |
| 2) Conservator of Forests (Territorial) | : -do- |
| 3) DFO (T) East Division, Gangtok | : For information and follow up n.a. |


(Y.P. Gurung, IFS)
CF-cum-Nodal Officer (FCA)

**Conservator of Forest (FCA)
Forest Env. & W/L Mangt. Deptt.
Govt. of Sikkim Gangtok**