



भारत सरकार/Government of India  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest & Climate Change  
क्षेत्रीय कार्यालय, भुवनेश्वर/ Regional Office, Bhubaneswar  
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No.IRO/KOL/SK/SCH/149945/2021 /211

Date: 22<sup>nd</sup> November 2023

To,

**The Addl. Chief Secretary-cum-PCCF,**  
Forests and Environment Department,  
Government of Sikkim,  
Forest Secretariat, Deorali,  
Gangtok – 737102.

**Sub Final (Stage-II) approval of Central Government under Forest (Conservation) Act 1980 for regularization of encroachment and ex-post-facto approval of 0.452 ha forest land occupied by Government Secondary School, Rongneck in favour of Education Department, Govt. of Sikkim of land in Gangtok district of Sikkim – reg.**

Sir,

I am directed to refer to letter No. FP/SK/SCH/149945/2021, wherein prior approval of Ministry of Environment, Forest and Climate Change for regularization of encroachment and ex-post-facto approval of 0.452 ha forest land occupied by Government Secondary School, Rongneck in favour of Education Department, Govt. of Sikkim of land in Gangtok district of Sikkim, was sought in accordance with Section-2 of the Forest (Conservation) Act, 1980. After due consideration of the proposal of the State Government, the 'in-principle' approval of the Central Government for diversion of the said forest land was accorded vide Ministry's letter of even number dated 13.07.2023 subject to fulfillment of certain conditions. The State Government of Sikkim vides their letter No.1993/FCA/F&ED/5047 dated 6.11.2023 has furnished compliance report in respect of the relevant conditions stipulated in the in-principle approval for grant of final approval.

In this connection, on the basis of the compliance report under reference, the **final approval** of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 is hereby accorded for regularization of encroachment and ex-post-facto approval of 0.452 ha forest land occupied by Government Secondary School, Rongneck in favour of Education Department, Govt. of Sikkim of land in Gangtok district of Sikkim, subject to the following conditions and stipulations:

- (1) Legal status of the forest land diverted shall remain unchanged.
- (2) **Compensatory afforestation:** The State Forest Department shall raise these 100 plants towards compensatory afforestation within three years



from the issue of approval preferably in the vicinity of the project site and maintained thereafter. The State Government will inform the site of plantation to the Regional Office. Eighteen months old indigenous tree species should be planted.

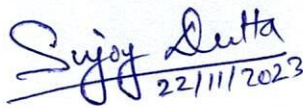
- (3) The State Government shall ensure that compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF&CC, GoI in this regard.
- (4) The boundary of the diverted forest land shall be suitably demarcated on ground by the State Forest Department at the cost deposited by the UA.
- (5) Wherever possible and technically feasible, the User Agency shall undertake appropriate afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the State Forest Department at the project cost.
- (6) The layout plan of the proposed diversion of the forest land shall not be changed without prior approval of Ministry of Environment, Forest and Climate Change.
- (7)
  - a) The diverted forest land shall not be used for any purpose other than that specified in the project proposal.
  - b) The period of diversion under this approval shall be co-terminus with the period of the project life.
  - c) The diverted forest land shall under no circumstances be transferred to any other agencies, department, or person without prior approval of the Ministry of Environment, Forest and Climate Change.
- (8) The User Agency and the State Government shall ensure compliance to provisions of all the Acts, Rules, Regulations, Guidelines, Hon'ble Court Order(s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time in force, as applicable to the project.
- (9) 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 Guideline F. No. 11-42/2017-FC dt 29/01/2018.
- (10) Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests and wildlife.

As has been mentioned at Para-2 of the Stage-II approval, this approval for diversion of forest land is subject to the fulfillment of stipulated conditions mentioned in this approval letter. Therefore, in the event of non-compliance of any of the conditions laid out in this approval letter, the Integrated Regional Office of the Ministry of Environment, Forest & Climate Change may withdraw the said approval for diversion of the forest land and stop the non-forest activity



being carried out in the forest land besides initiating the legal action as per provisions of Forest (Conservation) Act, 1980.

Yours sincerely,

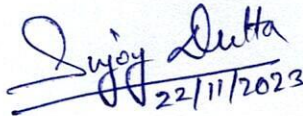
  
22/11/2023

(Sujoy Dutta)

Assistant Commissioner (Forestry)

Copy to:-

1. The DIGF (ROHQ), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110 003.
2. APCCF-Cum-Nodal Officer (FCA), Forest & Environment Department, Government of Sikkim, Forest Secretariat, Deorali, Gangtok - 737102.
3. The Divisional Forest Officer, East Territorial Forest Division, Sikkim.
4. The Joint Director, Education Department, Govt. of Sikkim, Near Secretariat, Gangtok - 737101.
5. Guard File.

  
22/11/2023

Assistant Commissioner (Forestry)