



Government of Jammu and Kashmir
Forests, Environment & Ecology Department

Subject:- Use of 0.91 Ha of forest land for construction of Aerial Ropeway Project at Patnitop by the Patnitop Development Authority in Udhampur Forest Division.

- Reference: (i) Minutes of the 87th Forest Advisory Committee Meeting held on 09-03-2015 under the Chairmanship of Chief Secretary J&K, issued by the Chief Conservator of Forests/Nodal Officer(FCA) vide No.PCCF/FCA/1986/93-108 dated 17-03-2015 Agenda No.87.01
(ii) Cabinet Decision No.49/07/2015 dated 18-05-2015.
(iii) Letter No.PCCF/FCA/647/2362-63 dated 14-10-2016.

Government Order No:-23 -FST of 2017
Dated:- 15 -02-2017.

Sanction is hereby, accorded to the use of 0.91 hectare of forest land for construction of Aerial Ropeway Project at Patnitop by the Patnitop Development Authority in Udhampur Forest Division with the following particulars:-

i. (Proposal)

1.	User Agency/Applicant	Patnitop Development Authority
2.	Location	Comptt. : 94/D, 95/D & 96/D Block : Kud Range : Dudu Division : Udhampur District : Udhampur
3.	Crown Density	Dense (0.4 to 0.7)
4.	Whether the area involved forms part of the wildlife Protected Area	No

5. Number of Trees / Poles / saplings involved:

Species	Trees (30-40 cm & above)	Poles (20-30 cm & 10-20 cm)	Saplings (0-10 cm)	Total
Deodar	49	5	0	54
Chir	27	1	0	28
Broad leaved	18	17	0	35
Total:	94	23	0	117

However, the above sanction shall be subject to the terms and conditions as given under:-

1. The proprietary and legal status of forest land shall remain unchanged.
2. The forest land shall be utilized only for the purpose for which it has been indented, that too under close supervision and periodical spot inspection of the concerned Forest Department Officers. The reports of the concerned DCF shall be submitted to the FAC Cell in the office of Principal Chief Conservator of Forests', J&K with copies to the Administrative Department.

3. The forest land shall not be mortgaged, reassigned, leased or sub-leased by user agency in any manner what so ever to any other agency.
4. The User Agency had made the payment in full of amount summarized below, as reported by the Nodal Officer, FCA, vide letter mentioned at Ref.(iii) .

i	Net Present Value	Rs.8,16,270
ii	Compensation of trees	Rs.15,98,030
	Total:	Rs.24,14,300

5. The User Agency shall pay the additional amount of NPV, if so determined as per decision of the Hon'ble Supreme Court of India.
6. The extraction of the trees /poles shall be done by the State Forest Corporation/Divisional Forest Officer concerned on the basis of markings administratively approved by the Chief Conservator of Forests, Jammu. The cost of extraction and transportation shall be paid by the User Agency directly to the agency executing the extraction.
7. The User Agency shall construct retaining walls/breast walls on forest land and take all necessary steps to check soil erosion in consultation with the Soil Conservation Department. The Forest Department shall take due cognizance under law for any laxity on this account on the part of the User Agency which might trigger soil erosion in the area.
8. The User Agency shall be responsible for the eco-restoration of the muck dumping sites identified on forest land through engineering and biological means and keeping due provision in the revised DPR for the same.
9. Any damage done to the forest by the User Agency or its employees and contractors or people employed by them shall be charged from the User Agency @ 10 times the standard rate of 1992.
10. The forest land so allowed for use shall return to the Forest Department free of any encumbrances when it is no longer required by the User Agency.
11. The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue before commissioning of the project.
12. The User Agency and or its contractors will not bring any forest area under their use, other than the actual area / activity approved by the Government for the instant proposal. Any laxity or deviation on this account by the user agency or its contractors will attract penal provisions of the relevant Acts / legal provisions
13. The conditions imposed by the MOEF while granting Environmental Clearance vide its letter No.10-28/2010-IA-III Dated 24th January, 2012 and the implementation of mitigation measures as stated in the Environmental Management Plan will be strictly complied with.
14. The conditions on which the project has been recommended by the Chief Wildlife Warden, Jammu & Kashmir as mentioned in the Order of Hon'ble Supreme Court order dated 29.08.2014 shall be complied with, which are as under:-
 - i. *Mitigation measures for Wildlife Conservation provided in the EMP will be implemented by the Wildlife Department.*
 - ii. *NOC from the Forest Department may also be taken in view of the affidavit filed by the Department in the Hon'ble Supreme Court.*
 - iii. *Home stays shall be promoted in the Patnitop Area and land use change in respect of construction from bonafide use of commercial should have the approval of Forest Department.*



- iv. *Tourism Development plan of Patnitop area should be approved by the Forest Department.*
- v. *Other conditions imposed by the Ministry of Environment and Forests may be strictly adhered to by the Patnitop Development Authority.*
- vi. *Patnitop Development Authority shall also pay 5% cess on its turnover to the Forest Department every year for improvement of forests apart from NPV etc. for benefit/upkeep of forests in the Patnitop area.*
- vii. *Carrying capacity studies need to be initiated to study the effect of increase in tourism on the ecology of the area.*

By Order of the Government of Jammu and Kashmir.

Sd/-


(Muhammad Afzal)IAS,
Commissioner/ Secretary to Government
Forests, Environment & Ecology

No:FST/Land/04/2015

Dated:- 15 -02-2017

Copy to the:-

1. Secretary to the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
2. Principal Chief Conservator of Forests,(HoFF) J&K, Jammu.
3. Divisional Commissioner Jammu, for information.
4. Director, Soil & Water Conservation Department, J&K, Jammu.
5. Director ,Archives, Archaeology & Museums J&K, Jammu.
6. Chief Executive Officer, Patnitop Dev.Authority..
7. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Jammu..
8. Officer on Special Duty with the Hon'ble Minister for forests, Environment & Ecology.
9. Private Secretary to the Chief Secretary (Chairman FAC)
10. Private Secretary to Hon'ble MoS for forest, Environment & Ecology.
11. Private Secretary to Commissioner/.Secretary to Government, Department of Forests, Environment & Ecology
12. P.A to Special (Technical) Department of Forest, Environment & Ecology
13. Government order file/Stock file.


(Amreet Singh)IAS
Deputy Secretary to Government
Forest, Env. & Ecology Department.

15/02