



Government of Jammu and Kashmir
Forests, Environment & Ecology Department

Subject:- Use of 10.3125 ha. of forest land for construction of road Drung Toshamaidan via Sitharan by PWD(R&B) in Pirpanjal Forest Division.

Reference: (i) Minutes of the 94th Forest Advisory Committee meeting held on 30-06-2016 under the Chairmanship of Chief Secretary(Chairman FAC) J&K, issued by the Chief Conservator of Forests/Nodal Officer(FCA) vide No.PCCF/FCA/2134/1894-1916 dated 28-07-2016.

(ii) Cabinet decision No.109/11/2016 dated 09-12-2016 conveyed by the General Administration Department.

(iii) Letter No. PCCF/FCA/1490/1101-05 dated 11-03-2017 received from the Pr.Chief Conservator of Forests, J&K,

Government Order No:- 64 -FST of 2017

Dated:- 23 -03-2017.

Sanction is hereby accorded to, the use of 10.3125 ha. of forest land for construction of road Drung Toshamaidan via Sitharan by PWD(R&B) in Pirpanjal Forest Division with the following particulars:-

1.	User Agency/Applicant	PWD (R&B)	
2.	Location	Comptt. : S-8b,S-9,S-10,S-15, S-16 & S-17 Block : Sitharan Range : Sukhnag Division : Pir Panjal District : Budgam	
3.	Forest land	10.3125 Ha	
4.	Crop Density of the area	Dense	
5.	Whether the area involved forms part of the wildlife Protected Area	No	
6	Salient Features of the project:		
	I	Total Length of the road	19 Km
	II	Length of the road passing through Forest area	11.90 Km
	III	Width of the road	7.5 Mtrs

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	IV	Forest area required for dumping sides (07 No's)	0.85 Ha.			
	V	Extra Forest area required at 22 Zigs.	0.5375 Ha			
	VI	Total Forest area required	10.3125 Ha			
	VII	Protection work on Forest Land	User Agency has stated that R/Walls and B/walls shall be provided at vulnerable spots.			
	VIII	Total Population to be benefitted	5000 persons			
7.	Number of Trees / Poles/ Saplings involved.					
	Species	<i>Trees</i> (30-40cm & above)	<i>Poles (20-30cm & 10-20cm)</i>	<i>Saplings</i> (0-10cm)	<i>Total</i>	
	Kail	1	9	25	35	
	Fir	87	29	32	148	
	Total	88	38	57	183	
8.	Net Present Value of forest land involved;					
	Comptt.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	S-8b,S-9, S-10,S-15, S-16 & S-17	10.3125	Dense	VI	8.97	Rs. 92,50,313/-
9.	Compensatory Afforestation for double the area i.e. 20.625 Ha @ Rs. 1 lac per Ha.				Rs.20,62,500 /-	
10.	Compensation of trees/poles/saplings				Rs. 7,79,100/-	
11.	Roadside Plantation (proposed for 10.21 km @ 6.00 lacs per Km)				Rs. 61,26,000/-	

However, the above sanction shall be subject to the terms and conditions as given here 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 report of the concerned DFO 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 the amount summarized below, as reported by the Nodal Officer FCA, vide letter mentioned at Ref.(iii).

S.No	Component	Amount
i	Net Present Value	Rs. 92,50,313/-
ii.	Compensatory Afforestation	Rs. 20,62,500 /-
ii	Compensation of trees	Rs. 7,79,100/-
iii	Roadside Plantation	Rs. 61,26,000/-
Total		Rs.1,82,17,913 /-

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 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.
7. (i) 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/Kashmir. The marking for tree for felling will be done in consultation with the user agency and effort shall be made to save maximum number of trees / poles /saplings. The cost of extraction and transportation shall be paid by the user agency directly to the agency executing the extraction.

(ii) The fundamental rule for marking of trees enumerated during processing of the proposals will be to save maximum number of trees without compromising with the construction and maintenance of the approved project structure and no trees / poles / saplings will be felled/ cut /pruned / lopped for purposes / project activities other than those approved / sanctioned.
8. The User Agency shall construct retaining walls/breast walls on forest land and take all necessary steps to check soil erosion which may result due to proposed construction of the road 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.
9. User Agency shall ensure that muck shall be disposed of only on the designated sites. In case muck is found to be dumped on forest land not identified for the purpose, The Divisional forest officer concerned shall immediately stop the work till restoration work is done. The User Agency shall ensure to provide proper protection work at muck dumping site. Muck disposal site shall be properly compacted and it will be protected by engineering and biological means. The muck dumping sites shall be futuristically developed for wayside facilities on the highway.
10. Any damage done to the forest by the User Agency or its contractors shall be charged from the User Agency @ 10 times the standard rate.

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11. 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.
12. The User Agency shall be responsible for the eco-restoration of the muck dumping sites identified on forest land through engineering and biological means.
13. The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue before commissioning of the project.

By Order of the Government of Jammu and Kashmir.

Sd/-
(Muhammad Afzal) IAS,
Commissioner/ Secretary to Government
Forest, Env. & Ecology Department

No:-FST/Land/68/2016

Dated:- 23 -03-2017.

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. Commissioner /Secretary to Government, Public Works (R&B), Department.
4. Divisional Commissioner Kashmir for information.
5. Director, Social Forestry, J&K, Jammu.
6. Director, Soil & Water Conservation Department, J&K, Jammu.
7. Director, Archives, Archaeology & Museums J&K, Jammu.
9. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Jammu.
10. Chief Engineer, (Public Works (R&B)) Kashmir.
11. Officer on Special Duty with the Hon'ble Minister for forests, Environment & Ecology.
12. Special Assistant to Hon'ble MoS for Forest, Environment & Ecology.
13. Private Secretary to the Chief Secretary (Chairman FAC).
14. Private Secretary to Commissioner/.Secretary to Government, Department of Forests, Environment & Ecology.
15. P.A to Special (Technical) Department of Forest, Environment & Ecology.
16. Government order file/Stock file.

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

22/3/17

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