



Government of Jammu and Kashmir
Forests, Environment & Ecology Department

Subject:- Diversion of forest land for construction of road from LO25-TO2 Km 1st to Dhar (Part-II) by PMGSY in Nowshera and Jammu Forest Divisions .

Reference: (i) Minutes of the 101st Forest Advisory Committee meeting held on 10-08-2017 under the Chairmanship of Chief Secretary(Chairman FAC) J&K, issued by the Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2436/3577-95 dated 18.08.2017.

(ii) Cabinet decision No.177/11/2017 dated 03-10-2017 conveyed by the General Administration Department.

(iii) Letter No. PCCF/FCA//2284/5509-11 dated 22-11-2017. received from the Pr. Chief Conservator of Forests, J&K,

Government Order No:- 14 -FST of 2018

Dated:- 11 -1 -2018.

Sanction is hereby accorded to Diversion of forest land for construction of road from LO25-TO2 Km 1st to Dhar (Part-II) by PMGSY in Nowshera and Jammu Forest Divisions, with the following particulars:-

1.	User Agency/Applicant	PMGSY	
2.	Location	Comptt. : 123/D of Nowshera Forest Div. 42/K of Jammu Forest Div. Range : Sunderbani & Kalidhar Block : Sunderbani & Choura Division : Nowshera & Jammu District : Rajouri & Jammu	
3.	Objective	To provide road connectivity to village Bajwal in Sunderbani Block. The road is likely to benefit 961 souls.	
4.	Salient Features of the project:		
	I	Total Length of the road	8.50 Km.
	II	Length of the road passing through Nowshera Forest Division through Forest land	4804 Mtrs.

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III	Length of the road passing through Jammu Forest Division through Forest land	3000 Mtrs.
IV	Width of the road in Nowshera and Jammu Forest Division	6.00 Mtrs.
V	Total length of road passing through forest	7804 Mtrs.
VI	Therefore Forest Land Required for road	4.6824 Ha (2.8824 Ha of Nowshera Forest Division and 1.80 Ha of Jammu Forest Division)
VII	Forest area required for Mulba Dumping sites 29 (16 Sites in Nowshera & 13 in Jammu Forest Division respectively)	2.175 (1.20 Ha. in Nowshera Division and 0.9750 Ha in Jammu Division)
VIII	Total Forest area required for the Project	Nowshera Forest Division = 4.0824 Ha Jammu Forest Division = 2.7750 Ha Total Forest Land = 6.8574Ha
IX	Protection work on Forest land	The user agency shall provide the Breast/ Retaining walls/Edge walls and drainage crossing on the forest land as per the details given in the statement attached with Technical Report.
5.	Crop Density of the area	Dense
a	Whether the forest land proposed to be used for non forest purpose forms part of a natural reserve, national park, wildlife sanctuary, biosphere reserve or forms part of the habitat of any endangered or threatened species of flora and fauna or any area lying in severely eroded catchment.	No
b	Whether the use of any forest land is for agriculture purposes or for the rehabilitation of displaced persons.	No
c	Whether the Principal Chief Conservator of Forests had certified that it has, considered all other alternatives and that no other alternative in circumstances are feasible and that the required area is the minimum needed for the purposes, and,	Yes
d	Whether the department or authority requisitioning forest land for non forest uses undertakes to provide at its own cost acquisition of an equivalent area and afforestation thereof.	The User Agency requisitioning forest land for non-forest purpose has not undertaken to provide cost of acquisition at its own. It has however agreed to provide cost of afforestation on double the forest area. Further it has also undertaken to pay the NPV as per the Hon'ble Supreme court directions.

6. Number of Trees / Poles/ Saplings involved:

Forest Division	Species	Trees (30-40cm & above)	Poles (20-30cm & 10- 20cm)	Saplings (0-10cm)	Total
Nowshera	Chir	37	42	6	85
	Broad Leaved:	00	02	51	53
	Bushes(Garna)	00	00	39	39
	Total	37	44	96	177
Jammu	Chir	27	07	00	34
	Broad Leaved:	00	02	00	02
	Total	27	09	00	36
	G.Total	64	53	96	213

7. Net Present Value of forest land involved:

Forest Division	Comptt . No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
Nowshera	123/D	4.0824 Ha.	Dense	V	8.45	Rs. 34,49,628/-
Jammu	42/K	2.7750 Ha.	Dense	V	8.45	Rs. 23,44,875/-
Total						Rs. 57,94,503/-

8.	Compensatory Afforestation for double the forest area involved i.e 13.7148 Ha. @ Rs. 1 Lac per ha (8.1648 Ha in Nowshera Forest Division & 5.55 Ha in Jammu Forest Division	Rs.8,16,480/-(Nowshera) Rs. 5,55,000/-(Jammu) Total= Rs. 13,71,480/-
9.	Compensation of trees/poles/saplings	Rs.1,96,468/-(Nowshera) Rs. 1,15,236/-(Jammu) Total Rs. 3,11,704/-

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 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.
3. The forest land shall be utilized only for the purpose for which it has been indented.

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. 57,94,503/-
ii.	Compensatory Afforestation	Rs.13,71,480/-
iii.	Compensation of trees	Rs.3,11,704/-
Total		Rs. 74,77,687/-

5. 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.
6. The User Agency shall pay the additional amount of NPV, if so determined as per decision of the Hon'ble Supreme Court of India.
7. (i) The extraction of the trees /poles/saplings 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 marking for tree 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 shall be paid by the User Agency directly to the agency executing the extraction.
8. (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.
9. 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.
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 of 1992.
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 obtaining requisite clearances under any other law in vogue before commissioning of the project.
13. The Chief Engineer, PMGSY will submit the dimensions of Breast/ Retaining walls/Edge walls and drainage crossing and explore the possibility of employing Geosynthetics Technology.

By Order of the Government of Jammu and Kashmir.

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

Dated:- 11 -1-2018.

No:-FST/Land/43/2017

Copy to the;-

1. Secretary to the Govt. of India, Ministry of Env, Forests and Climate Change, New Delhi.
2. Commissioner/Secretary to Government, Public Works(R&B) Department.
3. Principal Chief Conservator of Forests, J&K, Jammu.

- 4 Divisional Commissioner Jammu for information.
5. Director ,Archives, Archaeology & Museums J&K, Jammu.
6. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Jammu.
7. Chief Conservator of Forests, Jammu
8. Chief Engineer PMGSY, Jammu.
- 9 Officer on Special Duty with the Hon'ble Minister for forests, Environment & Ecology.
- 10 Special Assistant to Hon'ble MoS for Forest, Environment & Ecology.
11. Private Secretary to the Chief Secretary (Chairman FAC),
- 12 Private Secretary to Commissioner/.Secretary to Govt. Department of Forests, Env. & Ecology.
13. P.A to Secretary (Technical) Department of Forest, Environment & Ecology.
14. Government order file/Stock file.

(Reyaz-ul-Haq)
Under Secretary to Government

Government of Jammu and Kashmir

Office of the Principal Chief Conservator of Forests, J&K

NO. PCCF/FCA/2284/ 332-38

Dated 15-01-2018

Copy of above forwarded for further necessary action to the:-

1. Chief Conservator of Forests, Jammu.
2. Chief Engineer, PMGSY, Jammu.
3. Conservator of Forests, West Circle, Rajouri.
4. Conservator of Forests, East Circle, Jammu.
5. Divisional Forest Officer, Jammu.
6. Divisional Forest Officer, Nowshera Forest Division, Nowshera.
7. Executive Engineer, PMGSY Division Rajouri.

(Dr. Mohit Gera) IFS

Addl. Pr. C. C. Forests Central/
Nodal Officer (FCA)

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