



Government of Jammu and Kashmir
Forests, Environment & Ecology Department

Subject:- Use of 3.637 Ha. of forest land for portal development of Main and Escape Tunnel T13 P1 on Katra Dharma section of USBRL Project by Northern Railway in Mahore Forest Division.

Reference: (i) Minutes of the 98th Forest Advisory Committee meeting held on 09-06-2017 under the Chairmanship of Chief Secretary(Chairman FAC) J&K, issued by the Chief Conservator of Forests/Nodal Officer(FCA) vide No.PCCF/FCA/2349-1/2211-32 dated 01-06-2017.

(ii) Cabinet decision No.88/6/2017 dated 16-06-2017 conveyed by the General Administration Department.

(iii) Letter No. PCCF/FCA //2297/4521-23 dated 28-9-2017. received from the Pr. Chief Conservator of Forests, J&K,

Government Order No:- 01 -FST of 2018

Dated:- 04 -01 -2018.

Sanction is hereby accorded to use of 3.637 Ha. of forest land for portal development of Main and Escape Tunnel T13 P1 on Katra Dharma section of USBRL Project by Northern Railway in Mahore Forest Division, with the following particulars:-

1.	User Agency/Applicant	Northern Railway
2.	Location	Comptt. : 86/Ar Block : Kanthan Range : Mahore Division : Mahore District : Reasi
3.	Objective	The land is required for portal development of main and Escape Tunnel T 13 on Reasi-Dharma Section of USBRL.
4.	Salient Features of the project:	
	I	Forest land required for Portal development. 3.637 Hac (The total forest area involved in the project is 40,000 sq. mtr, out of which 3630 Sq.m had already been acquired by the user

		agency vide Govt. Order No. 175-FST of 2007 dated 09.04.2007 for feeder road passing through the proposed portal development of Main and Escape Tunnel).
II	Forest land required for Mulba Dumping	The User Agency has proposed acquisition of private land in village Lamsora as per the letter of Deputy Commissioner Reasi's letter No.DC/RSI/16-17/1135-39/sq dated: 11.01.2017.
III	Total Forest land required	3.637 Ha

5. Crop Density of the area Dense

6. Mandatory required information:-

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, however the Dy. Commissioner concerned has agreed to provide equivalent land for afforestation. The user agency has agreed to pay the cost of afforestation on this land. Further it has undertaken to pay the NPV as per the Hon'ble Supreme court directions.

7. Number of Trees / Poles/ Saplings involved:

Species	Trees (30-40cm & above)	Poles (20-30cm & 10-	Saplings (0-10cm)	Total
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				20cm)		
	Chir	04		1	0	5
	Broad leaved: Seemal, Kakua, Kambal dhaman, Bahunia etc.	113		97	0	210
	Total	117		98	0	215
Net Present Value of forest land involved:						
8.	Comptt.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	86/Ar	3.637	Dense	VI	8.97	Rs.32,62,389 /-
9.	Compensatory Afforestation: The Deputy Commissioner, Reasi vide letter No: DC/RSI/16-17/924/SQ dated: 24-11-2016 has intimated that the State/ Non Forest Land measuring 113 Kanals 15 Marlas at village Channa, Sajra Khasra No. 571/13 in lieu of forest land is available. Therefore only one time compensation for an area of 3.637 Ha. @ 1 lac per Ha. shall be charged from the User Agency.					Rs.3,63,700/-
10.	Compensation of trees/poles/saplings					Rs. 2,08,832/-

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. 32,62,389 /-
ii	Compensatory Afforestation	Rs. 3,63,700/-
iii	Compensation of Trees/Poles	Rs. 2,08,832/-
Total		Rs.38,34,921/-

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.

(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.
9. 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.
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.

By Order of the Government of Jammu and Kashmir.

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

Dated:- 09-01-2018.

No:-FST/Land/22/2017

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. Divisional Commissioner Jammu for information.
4. Principal Chief Conservator of Forests, J&K, Jammu.
5. CCF/Nodal Officer, FCA, office of the PCCF, J&K
6. Chief Conservator of Forests, Jammu.
- 7.. Director ,Archives, Archaeology & Museums J&K, Jammu.
8. Chief Engineer, Northern Railway 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