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3/10/18



Government of Jammu and Kashmir
Department of Forest, Environment & Ecology
Civil Secretariat, Srinagar
www.jkforestadm.nic.in

Subject:- Use of 0.0233 Ha. of forest land for erection of Cell Site/Ground Base Tower at Batholi Paddar in Kishtwar Forest Division.

- Reference:- (i) Minutes of the 104th Forest Advisory Committee held on 21.02.2018 under the Chairmanship of Chief Secretary (Chairman FAC) J&K, issued by Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2577/1408- 34 dated 28.02.2018.
- (ii) Cabinet Decision No. 67/5/2018 dated 24-04-2018 conveyed by the General Administration Department.
- (iii) PCCF/FCA/2525/4673-76 dated 29.08.2018, received from the Pr. Chief Conservator of Forests, J&K.

Government Order No:- 313 - FST of 2018
Dated:- 26-09-2018

Sanction is hereby accorded to the use of 0.0233 Ha. of forest land for erection of Cell Site/Ground Base Tower at Batholi Paddar in Kishtwar Forest Division with the following particulars:-

1.	User Agency/Applicant	Bharti Infratel Limited
2.	Location	Comptt No : 1b/Paddar Range : Paddar Division : Kishtwar Forest Division District : Kishtwar
3.	Objective	To provide Network connectivity to disconnected area of Tehsil Padder, District Kishtwar and will benefit the population of 12000 people, of 25 villages of Paddar as per DPR.
4.	Salient Features of the project:	
	I	Area required for erection of cell site/ Ground base Tower. 0.0233 Ha.
	II	Total forest area required 0.0233 Ha.

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5.	Crop Density of the area	Dense Forest				
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.	Compensatory Afforestation not applicable as the area is less than one hectare. However, the user agency has undertaken to pay the NPV as per the Hon'ble Supreme court directions.				
Net Present Value of forest land involved:						
6.	Comptt. No	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	1/b paddar	0.0233	Dense	VI	8.97	Rs. 20,900/-
7.	Monthly rent	The user agency has agreed to pay Rs. 22,750 per month as monthly rent with gradual 25% increase after every 3 years.				
8.	Compensation of trees/poles/saplings	Nil				
9.	Compensatory Afforestation	Nil. (As area is less than 01 Ha.)				

The user agency has made the payment in full of the amount summarized below as reported by PCCF vide letter mentioned at Ref. (iii):-

S.No.	Component	Amount
i.	Net Present Value	Rs.20,900/-
Total		Rs. 20,900/-

[Handwritten signatures and initials]

Terms and Conditions:-

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 forest land shall not be mortgaged, reassigned, leased or sub-leased by user agency in any manner what so ever to any other agency.
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 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.
7. Any damage done to the forest by the User Agency or its contractors shall be charged from the User Agency @ 10 times as per the revised standard rate of 2018 issued vide the Government Order No: 10-FST of 2018 dated: 09.01.2018.
8. 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.
9. The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue before commissioning of the project.
10. The user Agency shall pay rent of **Rs. 22,750 (Rupees Twenty Two thousand seven hundred fifty)** per month towards Forest Department.
11. No permanent construction of the building is permitted at the sites.
12. 25% increase in rent shall be charged after every three (3) years.
13. The User Agency shall furnish Bank Guarantee of a Nationalized Bank for an amount equivalent to rent of 3 years.

By order of the Government of Jammu & Kashmir.

Sd/-

(Manoj Kumar Dwivedi) IAS
Commissioner / Secretary to Government
Forest, Env. & Ecology Department.

Dated:- 26-09-2018.

No: FST/Land/19/2018

Copy to the:-

1. Secretary to the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
2. Principal Secretary to Hon'ble Governor, J&K, Srinagar.
3. Principal Chief Conservator of Forests, J&K, Srinagar.
4. Chief Conservator of Forests, Jammu.
5. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Srinagar.

6. Director, Archives, Archaeology & Museums J&K, Srinagar.
7. OSD to Hon'ble Advisor (K) for kind information of Hon'ble Advisor.
8. Bharti Infratel Limited 3rd Floor, 29 GMC TRG Building Rail Head Complex Opp North Block Bahu Plaza Jammu.
9. Private Secretary to the Chief Secretary (Chairman FAC).
10. Private Secretary to Comm./Secretary to Government, Department of Forests, Environment & Ecology
11. P.A to Secretary (Technical) Department of Forest, Environment & Ecology.
12. Government order file.(w.2.s.c) / stock file.

[Handwritten Signature]
Under Secretary to Government
Forest, Environment & Ecology Deptt.

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Government of Jammu and Kashmir

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

NO. PCCF/FCA/2525/ *5257-62*

Dated *05*-10-2018

Copy of above forwarded for necessary action to the.

1. Chief Conservator of Forests, Jammu.
2. Conservator of Forests, Chenab Circle, Doda.
3. Divisional Forest Officer, Kishtwar Forest Division, Kishtwar.
4. Bharti Infratel Limited 3rd Floor, 29 GMC TRG Building Rail Head Complex Opp North Block, Bahu Plaza Jammu.
5. MIS for update.

[Handwritten Signature]
(Abdul. Gani) IFS
Chief Conservator of Forests &
Nodal Officer (FCA)

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