

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

Subject:- Use of 0.82 Ha. of forest land for construction of road from Batote to Chakwa in Batote Forest Division by PMGSY.

- 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 (FC A) 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/1321/4888-91 dated 11.09.2018 received from the Pr. Chief Conservator of Forests, J&K.

Government Order No: 316 - FST of 2018
Dated:- 28.09.2018

Sanction is hereby accorded to the Use of 0.82 Ha. of forest land for construction of road from Batote to Chakwa in Batote Forest Division by PMGSY with the following particulars:-

1.	User Agency/Applicant	PMGSY
2.	Location	Comptt. : 3,5,6/Btt Block : Shivgrah Range : Batote Division : Batote Forest Division District : Ramban
3.	Objective	To provide road connectivity to villages Barthal, Bandara, Ladhwal, Kothri and Chakwa. The road will benefit population of 3348 people.

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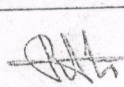
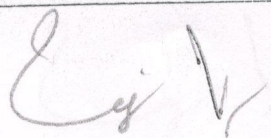

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4.	Salient Features of the project:		
	I	Total Length of the road	8.15 Km.
	II	Length of the road through Forest land	1100 Mtrs.
	III	Width of the road	6.00 Mtrs.
	IV	Therefore forest land required for road	0.66 Ha.
	V	Forest land required for Six (06) Muck dumping sites.	0.16 Ha. (Comptt. 06/Btt)
	VI	Total forest area involved in the proposed project	0.82 Ha.
	VII	Protection work	The details of protection works such as B/R Walls & Edge Walls shall be provided as proposed in DPR.
5.	Crop Density of the area Comptt. 03/Btt& 05 Btt	Very Dense Forest	
6.	Crop Density of the area Comptt. 06/ Btt	Open Forest	
7.	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.

8. Number of Trees / Poles/ Saplings involved:				
Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
Deodar	70	15	00	85
Kail	6	00	00	06
Total	76	15	00	91

9. Net Present Value of forest land involved:					
Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
03/Btt&05/Btt	0.630	Very Dense	VI	9.91	Rs. 6,24,330/-
06/Btt	0.030	Open	V	6.57	Rs. 19,710/-
06/Btt(Dumpin g Area)	0.160	Open	V	6.57	Rs. 1,05,120/-
Total NPV					Rs. 7,49,160/-

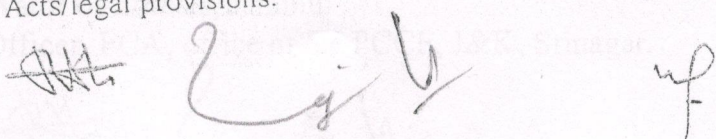
10.	Compensatory Afforestation	Nil (As area proposed is less than 1 Ha.)
11.	Compensation of trees/poles/saplings	Rs. 62,18,320/-

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. 7,49,160/-
ii.	Compensation of trees	Rs. 62,18,320/-
Total		Rs. 69,67,480/-

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. (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.
7. 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.
8. 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.
9. 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.
10. 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 & Kashmir.

Sd/-

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

No: FST/Land/19/2018-II

Dated: 28-09-2018.

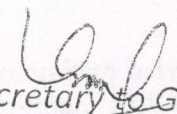
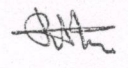
Copy to the:-

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. Commissioner/Secretary to Government, PWD(R&B) Department.
4. Principal Chief Conservator of Forests, J&K, Srinagar.
5. Managing Director SFC, J&K, Jammu.
6. Chief Conservator of Forests, Jammu.
7. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Srinagar.

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- 8. Director, Archives, Archaeology & Museums J&K, Srinagar.
- 9. Chief Engineer, PMGSY, Jammu.
- 10. OSD to Hon'ble Advisor (K) for kind information of Hon'ble Advisor.
- 11. Private Secretary to the Chief Secretary (Chairman FAC).
- 12. Private Secretary to Comm./Secretary to Government, Department of Forests, Environment & Ecology
- 13. P.A to Secretary (Technical) Department of Forest, Environment & Ecology.
- 14. Government order file.(w.2.s.c) / stock file.

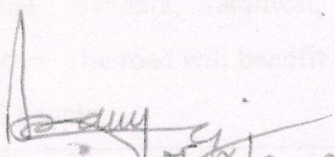

 Under Secretary to Government
 Forest, Environment & Ecology Department


Government of Jammu and Kashmir
 Office of the Principal Chief Conservator of Forests, J&K

NO. PCCF/FCA/ 1321/ 5246-51 Dated: 5-10-2018

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

- 1. Chief Conservator of Forests, Jammu.
- 2. Chief Engineer, PMGSY, Jammu.
- 3. Conservator of Forests, Chenab Circle, Doda.
- 4. Divisional Forest Officer, Batote Forest Division, Batote
- 5. Executive Engineer, PMGSY Division, Ramban
- 6. MIS for update.


 (Abdul Gani) IFS
 Chief Conservator of Forests /
 Nodal Officer, FCA
