

REC- IPT  
 9395  
 15/10/18



Government of Jammu and Kashmir  
 Forest, Ecology & Environment Department  
 Civil Secretariat, Srinagar

Subject:- Use of additional 0.58 Ha. of forest land for development up gradation of Mavar-Ahlan Mini Hydel Project(MHP) from 1.80 MW to 5.0 MW in Anantnag Forest Division by Jammu and Kashmir Energy Development Agency(JAKEDA).

Reference :- (i) Minutes of 109<sup>th</sup> meeting of Forest Advisory Committee held on 19.07.2018 under the Chairmanship of Chief Secretary J&K issued by Chief Conservator of Forests/Nodal Officer(FCA) vide No. PCCF/FCA/2715/4139-64 dated 25.07.2018  
 (ii) SAC Decision No. 47/08/2018 dated 08.08.2018.  
 (iii) Letter No. PCCF/FCA/2057-II/4855-58 dated 11.09.2018 received from Pr. Chief Conservator of Forests(HoFF), J&K.

750

**Government Order No:- 329 -FST of 2018**  
**D a t e d :- 11 -10- 2018**

Sanction is hereby, accorded to the use of additional 0.58 Ha. of forest land for development up gradation of Mavar-Ahlan Mini Hydel Project(MHP) from 1.80 MW to 5.0 MW in Anantnag Forest Division by Jammu and Kashmir Energy Development Agency(JAKEDA) with the following particulars:-

1.	User Agency/Applicant	JAKEDA
2.	Location	Comptt. : 92/V & 93/V Block : Gadole Range : Daksum Division : Anantnag Forest Division District : Anantnag
3.	Objective	To upgrade the Mavar-Ahlan Mini Hydel Project (MHP ) from 1.80 MW to 5.00 MW.
4.	<b>Salient features with requirement of forest for the project:</b>	
	i. Work wise requirement of forest land:	

R130  
 16/10

*[Handwritten signature]*

		S. No	Project Component	Forest land required ( in Sq. Meters)	
		1.	Head works	200	
		2.	Supply Channel	1400	
		3.	Desilting Tank	700	
		4.	Silt Flushing Pipe	200	
		5.	Temporary Labour Hut/Store	1500	
		6.	Office/Residential Huts	900	
			<b>Total</b>	4900 (0.49Ha.)	
		ii.	Forest land required for Muck dumping site in Comptt. 92/V	0.09 Ha.	
5.	Total forest land required			0.58 Ha.	
6.	Protection work			Protection works by way of Gabbion/Stone viz filling in crates has been provided in the DPR as per requirement.	
<b>Number of Trees / Poles/ Saplings involved;</b>					
7.	Species	Tress	Poles	Saplings	Total
	Fir ( <i>Abies pindrow</i> )	23	6	0	29
	<b>Total</b>	<b>23</b>	<b>6</b>	<b>0</b>	<b>29</b>
8.	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.

*h. Singh*

9.	<b>Net Present Value of forest land involved</b>					
	Comptt	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	92/V & 93/V	0.58	Dense	VI	8.97	Rs.5,20,260/-
10.	<b>Compensatory Afforestation</b>					Not required as the area is less than 1 Ha.
11.	<b>Compensation of trees /poles/saplings</b>					Rs.4,45,925.-

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 (Rs.)
i	Net Present Value	Rs.5,20,260/-
ii	Compensation of trees/Poles/saplings	Rs.4,45,925.-
	<b>Total</b>	<b>Rs.9,66,185/-</b>

**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 will install fish screen at weir site or at fore bay site.
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, Kashmir. 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 as per the revised standard rate of 2018 issued vide the Government Order No: 10-FST of 2018 dated: 09.01.2018.
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.

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

No:-FST/Land/72/2018

Dated:- 11-10-2018

**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
3. Principal Chief Conservator of Forests, J&K, Srinagar.
4. Managing Director State Forest Corporation, J&K, Srinagar.
5. Chief Conservator of Forests, Kashmir.
6. CCF/Nodal Officer, FCA, Office of the PCCF, J&K, Srinagar
7. Director, Archives, Archaeology & Museums J&K, Srinagar
8. Chief Executive Officer, JAKEDA, J&K, Srinagar.
9. OSD to Hon'ble Advisor (K) for kind information of Hon'ble Advisor.
10. Pvt. Secretary to the Chief Secretary (Chairman FAC).
11. Pvt. Secretary to Commissioner/Secretary to Government, Forest, Env. & Ecology.
12. PA to Secretary ((Technical) Department of Forest, Env. & Ecology.
13. 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/ 2057-II/ 53810-83

Dated: 20 -10-2018

**Copy of above forwarded for necessary action:-**

1. Chief Conservator of Forests, Kashmir.
2. Chief Executive Officer, J&K Energy Development Agency, Science & Technology Department Rambagh Srinagar.
3. Conservator of Forests, South Circle, Bijbhera.
4. Divisional Forest Officer, Anantnag Forest Division Anantnag.

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

17/10 17/10

17/10