



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

Subject:- Use of 0.60 Ha. of forest land , between Chainage 49/450 to 49/600 at Bakkal for non forestry purpose in connection with construction of foundation of A1-P3 of Bridge o. 43 of USBRL Project in Reasi Forest Division.

Reference:-(i) Minutes of 106th meeting of the Forest Advisory Committee held on 20.04.2018 under the Chairmanship of Chief Secretary J&K(Chairman FAC), issued by the Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2667/2684-2704 dated 12.05.2018.
(ii) State Administrative Council Decision No. 11/2/2018 dated 04.07.2018
(iii) Letter No. PCCF/FCA/2519/3106-09 dated 25.09.2018 received from the Pr. Chief Conservator of Forests, J&K.

Government Order No:- ³⁶³FST of 2018
D a t e d :- 20-11- 2018

Sanction is hereby accorded to the use of 0.60 Ha. of forest land, between Chainage 49/450 to 49/600 at Bakkal for non forestry purpose in connection with construction of foundation of A1-P3 of Bridge No. 43 of USBRL Project in Reasi Forest Division subject to the following particulars

1.	User Agency/Applicant	Northern Railway
2.	Location	Comptt. : 21/R Block : Bhomag Range : Gool Division : Reasi Forest Division District : Reasi
3.	Objective	Udhampur-Srinagar-Baramulla rail link (USBRL) is a national project and construction of Bridges in Katra-Reasi section is part of railway line /alignment.
4.	Salient Features of the project:	
	I Forest area involved	0.60 Ha

II	Protection work	Not required											
5.	Crop Density of the area	Dense Forest											
6.	<table border="1"> <tr> <td>a</td> <td>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.</td> <td>No</td> </tr> <tr> <td>b</td> <td>Whether the use of any forest land is for agriculture purposes or for the rehabilitation of displaced persons.</td> <td>No</td> </tr> <tr> <td>c</td> <td>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,</td> <td>Yes</td> </tr> <tr> <td>d</td> <td>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.</td> <td>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.</td> </tr> </table>	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.
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7.	Number of Trees / Poles/ Saplings involved:												
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total								
	Chir (<i>Pinus roxburghii</i>)	04	08	00	12								
	Broad Leaved: Kambella (<i>Mallotus Philippensis</i>), Trimbal (<i>Ficus Roxburghii</i>), etc.	01	22	08	31								
	Total	05	30	08	43								

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Net Present Value of forest land involved:						
8.	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	21/R	0.60 Ha	Dense	V	8.45	Rs. 5,07,000/-
9.	Compensatory Afforestation: Not applicable as the area is less than 1.00 Hectare.					Nil
10.	Compensation of Tress/Poles/ Saplings as per revised standard rates of 2018 (one time).					Rs.31,414/-

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

S.No.	Component	Amount
i.	Net Present Value	Rs. 5,07,000/-
ii.	Compensation of trees	Rs.31,414/-
Total		Rs. 5,38,414/-

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 and Kashmir

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

Dated:-22-11-2018

No:-FST/land/31/2018

Copy to the:-

01. Secretary to Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
02. Principal chief Conservator of forests, J&K, Srinagar
03. Managing Director, State Forest Corporation, J&K, Srinagar
04. Divisional Commissioner, Kashmir for information.
05. CCF/Nodal Officer, FCA, Office of PCCF, J&K, Srinagar
06. Chief Conservator of Forests, Kashmir
07. Deputy Chief Engineer, USBRL Project, Jammu
08. Director Achieves, Archaeology & Museums, J&K, Srinagar
09. OSD to Hon'ble Advisor(K) for information of Hon'ble Advisor
10. Pvt. Secy. to the Chief Secretary(Chairman FAC).
11. Pvt. Secy. to the Commr./Secretary to Government, Forest, Ecology & Env. Department
12. PA to Secy. (Technical), Forest, Ecology & Env. Department
13. Government Order file(w.2.S.Cs)/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/2519/SBIS-18

Dated 30 -11-2018

Copy of above forwarded for necessary action to the.

1. Chief Conservator of Forests, Jammu.
2. Deputy Chief Engineer, Chenab /USBRL Project, Northern Railway Jammu.
3. Divisional Forest Officer, Reasi Forest Division Reasi.
4. MIS for update.

(Savash Rai), IFS,
APCCF (CAMPA)
Link Officer
CCF & Nodal Officer (FCA)