



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

Subject:- Use of 1.3080 Ha. of forest land for construction of stand-alone Bypass/Ring Road Srinagar City in J&K State under NHDP Phase-VIII in Sindh Forest Division by NHAI.

- Reference:-**
- i) Minutes of the 105th meeting of the Forest Advisory Committee held on 06.04.2018 under the Chairmanship of Chief Secretary J&K, issued by the Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2639/2229-53 dated 09.04.2018.
 - ii) J&K State Administrative Council Decision No. 4/1/2018 dated 28.6.2018.
 - iii) Letter No. PCCF/FCA/1955-II/5314-17 dated 15.10.2018 from Pr. Chief Conservator of Forests, J&K.

Government Order No. 364 -FST of 2018
D a t e d: 20 -11- 2018

Sanction is hereby accorded to the use of 1.3080 Ha. of forest land for construction of stand-alone Bypass/Ring Road Srinagar City in J&K State under NHDP Phase-VIII in Sindh Forest Division by NHAI with the following particulars:-

1.	User Agency/Applicant	NHAI
2.	Location	Comptt. : 09/Shallabugh Range : Harran Shallabugh Block : Shallabugh Division : Sindh Forest Division District : Ganderbal
3.	Objective	Construction of Stand-alone Bypass/Ring Road around Srinagar city (Narbal to Wayil).
Salient Features of the project:		
I	Total Length of the road	60.942 Km.
II	Length of the road through Forest land	218 Mtrs.
III	Width of the road through forest land	60 Mtrs.
IV	Therefore forest land required	1.3080 Ha.
V	Mulba Dumping details	NIL (The generated muck will be used for embankment and median filling as reported by the GM (Tech.) and PD.)

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VI	Total Forest land required	1.3080 Ha.
VII	Protection work on Forest Land	The User Agency shall provide the Breast/Retaining walls on the forest land as per requirement. The details have been given in the DPR.
5.	Crop Density of the area	Open

6.	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 an equivalent area at its own cost of acquisition. It has however agreed to provide cost of afforestation on double the forest area. Further it has also undertaken to pay the NPV as per the Hon'ble Supreme court directions.

6.	Number of Trees / Poles/ Saplings involved:				
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
	Broad leaved: Willow (<i>Salix alba</i>)	88	63	01	152
	Total	88	63	01	152

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Net Present Value of forest land involved:						
7.	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	9/Shallabugh	1.3080	Open	VI	6.99	9,14,292/-
8.	Compensatory Afforestation for double the forest area involved i.e 2.616 Ha. @ Rs. 1 Lac per ha.					Rs. 2,61,600/-
9.	Compensation of trees/poles/saplings					Rs. 11,25,806/-

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. 9,14,292/-
ii.	Compensatory Afforestation	Rs. 2,61,600/-
iii.	Compensation of trees	Rs. 11,25,806/-
Total		Rs. 23,01,698/-

Terms and Conditions:-

01. The proprietary and legal status of forest land shall remain unchanged.
02. 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.
03. The forest land shall be utilized only for the purpose for which it has been indented.
04. 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.
05. The User Agency shall pay the additional amount of NPV, if so determined as per decision of the Hon'ble Supreme Court of India.
06. (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.
07. 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.
 08. 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.
 09. 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

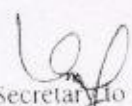
Sd/-
(Manoj Kumar Dwivedi)IAS,
Commissioner/Secretary to Government,
Forest, Ecology & Environment Department

No:-FST/Land/31/2018

Dated: 20-10-2018

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. CCF/Nodal Officer, FCA, Office of PCCF, J&K, Srinagar
04. Chief Conservator of Forests, Kashmir
05. Project Director, National Highway Authority of India, PIU, Srinagar
06. Director Archives, Archaeology & Museums, J&K, Srinagar.
07. OSD to Hon'ble Advisor(K) for information of Hon'ble Advisor
08. Pvt. Secy. To the Chief Secretary(Chairman FAC)
09. Pvt. Secy. To Commr./Secretary to Government, Forest, Ecology & Env. Department
10. P.A. to Secy (Technical), Forest, Ecology & Env. Department
11. 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/1955-II / 2350 - S B

Dated 21 -06 -2019

Copy of above forwarded for necessary action to the.

1. Chief Conservator of Forests Kashmir.
2. Project Director, National Highway Authority of India PIU Srinagar.
3. Conservator of Forests, Srinagar Circle, Srinagar.
4. Divisional Forest Officer, Sindh Forest Division, Ganderbal.

(Section Officer)
FCA Section


29/06