



Government of Jammu and Kashmir  
Department of Forest, Environment & Ecology  
Civil Secretariat, Jammu.  
[www.jkforestadm.nic.in](http://www.jkforestadm.nic.in)

**Subject:-** Use of 4.15525 Ha. of forest land for construction of road from Km 4<sup>th</sup> Lower Murrah to Hillkaka in Poonch Forest Division by PWD (R&B).

Reference:- (i) Minutes of 109<sup>th</sup> meeting of the Forest Advisory Committee held on 19.07.2018 under the Chairmanship of Chief Secretary J&K (Chairman FAC), issued by the Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2715/4139-64 dated 25.07.2018.  
(ii) State Administrative Council Decision No. 47/8/2018 dated 08.08.2018.  
(iii) Letter No. PCCF/FCA/2303/5739-42 dated 27.11.2018 from PCCF, J&K, Jammu .

**Government Order No:- 373 FST of 2018**  
**Date d:- 06-12-2018**

Sanction is hereby, accorded to the use of 4.15525 Ha. of forest land for construction of road from Km 4<sup>th</sup> Lower Murrah to Hillkaka in Poonch Forest Division by PWD (R&B) subject to the following particulars:-

1.	User Agency/Applicant	PWD (R&B)	
2.	Location	Comptt. : 25/S, 35/S, 36/S, 38/S and 39/S Range : Surankote Block : Murrah Division : Poonch Forest Division District : Poonch	
3.	Objective	To provide road connectivity to villages Lower Murrah, Chowki Banota, Hillkaka, Taranwali, Danga Chowti etc. It will benefit population of 15000 souls.	
4.	Salient Features of the project:		
	I	Total Length of the road	10.00 Km.
	II	Length of the road through Forest land	6025 Mtrs.
	III	Width	6.10 Mtr

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	IV	Therefore forest land required for road.	3.67525 Ha.		
	V	Forest land required for 8 Muck dumping sites.	0.48 Ha.		
	VI	Total forest land involved	<b>4.15525 Ha.</b>		
	VII	Protection work	The details of protection works such as Breast/Retaining walls and Crate protection has been provided in DPR as per requirement.		
<b>5.</b>	<b>Number of Trees / Poles/ Saplings involved:</b>				
	<b>Species</b>	<b>Trees (30-40cm &amp; above)</b>	<b>Poles (20-30cm &amp; 10-20cm)</b>	<b>Saplings (0-10cm)</b>	<b>Total</b>
	<b>Kail (<i>Pinus wallichiana</i>)</b>	238	314	170	722
	<b>Fir (<i>Abies pindrow</i>)</b>	41	2	20	63
	<b>Broad Leaved: Oak (<i>Quercus</i>),</b>	0	38	0	38
	<b>Walnut (<i>Juglans regia</i>)</b>	23	03	0	26
	<b>Sumb (<i>Dieffenbachia</i>), Batangi (<i>Pyrus peshia</i>)etc.</b>	95	236	65	396
	<b>Total</b>	397	593	255	1245
	<b>* 2422 No. of Simloo, Kenthis &amp; Guchch bushes are also involved</b>				
<b>6.</b>	<b>a</b>	<b>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.</b>	No		
	<b>b</b>	<b>Whether the use of any forest land is for agriculture purposes or for the rehabilitation of displaced persons.</b>	No		
	<b>c</b>	<b>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,</b>	Yes		
	<b>d</b>	<b>Whether the department or authority requisitioning forest land for non-forest uses undertakes to provide at its own cost</b>	The User Agency requisitioning forest land for non-forest purpose has not undertaken to provide an		

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		<b>acquisition of an equivalent area and afforestation thereof.</b>	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.			
7.	<b>Net Present Value of forest land involved:</b>					
	<b>Comptt. No.</b>	<b>Area involved (Ha.)</b>	<b>Crop Density</b>	<b>Eco-Value Class</b>	<b>Rate/ Ha (Rs. In Lac)</b>	<b>Amount (Rs.)</b>
	25/S,	2.315 Ha.	Dense	V	8.45	Rs.19,56,175/-
	35/S, 36/S, 38/S and 39/S	1.84025 Ha.	Open	V	6.57	Rs.12,09,044/-
	Total:	4.15525 Ha.				Rs.31,65,219/-
8.	<b>Compensatory Afforestation for double the area i.e 8.3105 @ Rs. 1.00 Lac Per Ha</b>				Rs. 8,31,050/-	
9.	<b>Compensation of trees/poles/saplings</b>				Rs. 1,11,65,881 /-	
10.	<b>Road Side Avenue Plantation</b>				Rs. 38,55,000/-	

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.31,65,219/-
ii.	Compensatory Afforestation	Rs. 8,31,050/-
iii.	Compensation of trees	Rs.1,11,65,881 /-
iv	Road side Avenue Plantation	Rs. 38,55,000/-
<b>Total</b>		<b>Rs. 1,90,17,150/-</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

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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

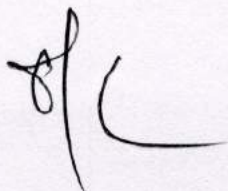
Dated:- 06 -12-2018

No:-FST/land/72/2018

**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, Jammu
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04. Chief Conservator of Forests, Jammu
05. Chief Engineer , PW(R&B) Department, Jammu







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06. Director Achieves, Archaeology & Museums, J&K, Jammu
  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 the Commr./Secretary to Government, Forest, Ecology & Env. Department
  10. Pvt. Secy. to Secretary.(Technical), Forest, Ecology & Env. Department
  11. Government Order file(w.2.S.Cs)/Stock file.

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Under Secretary to Government,  
Forest, Environment & Ecology Department

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

NO. PCCF/FCA/2303/5892-96

Dated 08-12-2018

Copy of above forwarded for necessary action to the.

1. Chief Conservator of Forests, Jammu.
2. Chief Engineer PW (R&B) Department, Jammu.
3. Conservator of Forests, West Circle, Rajouri.
4. Divisional Forest Officer Poonch Forest Division, Poonch.
5. Executive Engineer, PWD (R&B) Division, Poonch.

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*P.K. Raghaw*  
(P.K.Raghaw), IFS, 08/12  
CCF & Nodal Officer (FCA)

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