



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

Subject:- Use of 0.827 Ha of forest land for construction of road from Kanga-Bhatni-Kothi Jagir (Phase 2nd) in Batote Forest Division by PMGSY.

Reference:-(i) Minutes of 109th 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/1877/3728-31 dated 26.11.2018 received from the Pr. Chief Conservator of Forests, J&K.

Government Order No:-401 -FST of 2018
D a t e d :- 27 -12- 2018

Sanction is hereby accorded to the use of 0.827 Ha of forest land for construction of road from Kanga-Bhatni-Kothi Jagir (Phase 2nd) in Batote Forest Division by PMGSY with the following particulars:-

1.	User Agency/Applicant	PMGSY	
2.	Location	Comptt. : 68a/G, 71a/G and 74/G Range : Ghandari Block : Bathni Division : Batote Forest Division District : Ramban	
3.	Objective	To provide road connectivity to village Kothi & Jagir. It will benefit population of 1043 souls as per 2011 census.	
4.	Salient Features of the project:		
	I	Total Length of the road	2 Km.
	II	Length of the road through Forest land	925 Mtrs.
	III	Width	6.00 Mtr
	IV	Therefore forest land required for road.	0.555 Ha.

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V	Forest land required for (4)Muck dumping sites.	0.272 Ha.
VI	Total forest area involved	0.827 Ha.
VII	Protection work	Protection works such as Breast/ Retaining Walls have been provided in the DPR as per requirement.

Number of Trees / Poles/ Saplings involved:

Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
Deodar (<i>Cedrus deodara</i>)	0	0	6	6
Kail (<i>Pinus wallichina</i>)	28	0	2	30
Broad Leaved: Kahu (<i>Olea cuspedata</i>) Banj Mohru (<i>Quercus dilatata</i>)	47	0	1	48
Total	75	0	9	84

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.

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8. Net Present Value of forest land involved:						
Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)	
68n/G, 71a/G, 74/G	0.555	Very Dense	VI	9.91	Rs.5,50,005/-	
Muck dumping sites	0.272	Open	V	6.57	Rs.1,78,704/	
Total:	0.827				Rs.7,28,709/-	
9.	Compensatory Afforestation			Not required as the area is less than 1 Ha.		
10.	Compensation of trees/poles			Rs. Rs.12,30,570/-		
11.	Cost of damage to assets			Rs. 69,238/-		
12.	Roadside plantation on either side along the length of the road passing through forest land for a length of 0.925 Km @ 6,00,000 per Km			Rs. 5,55,000/-		

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.7,28,709/-
ii.	Compensation of trees/poles	Rs.12,30,570/-
iii.	Cost of damage to assets	Rs. 69,238/-
iv.	Roadside plantation on either side along the length of the road passing through forest land for a length of 0.925 Km @ 6,00,000 per Km	Rs. 5,55,000/-
Total		Rs. 25,83,517/-

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.

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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

No:-FST/land/72/2018

Dated:- 27 -12-2018

Copy to the:-

01. Secretary to Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
02. Commissioner/Secretary to Government, PWD(R&B) Department.
03. Principal chief Conservator of forests, J&K, Jammu
04. Managing Director, State Forest Corporation, J&K, Jammu
05. Divisional Commissioner, Jammu for information.
06. CCF/Nodal Officer, FCA, Office of PCCF, J&K, Jammu

07. Chief Conservator of Forests, Jammu
08. Chief Engineer, PMGSY, Jammu
09. Director Achieves, Archaeology & Museums, J&K, Srinagar
10. OSD to Hon'ble Advisor(K) for information of Hon'ble Advisor
11. Pvt. Secy. to the Chief Secretary (Chairman FAC).
12. Pvt. Secy. to the Commr./Secretary to Government, Forest, Ecology & Env. Department
13. Pvt. Secy. to Secretary (Technical), Forest, Ecology & Environment Department
14. Government Order file(w.2.S.Cs)/Stock file.

Under Secretary Government,
Forest, Environment & Ecology Department
[Signature]

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

NO. PCCF/FCA/1877/7108-12

Dated 29-12-2018

Copy of above forwarded for necessary action 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, Batote.

[Signature]
(Savesh Rai), IFS,
APCCF (CAMPA)
Link Officer
CCF & Nodal Officer (FCA)

[Initials]

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