



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

Subject:- Use of 14.677 Ha forest land for construction/improvement of road from Bhowani to Dharal (from 0.000 to Km 11.085) from foot tract to DGBRL CL9 Specification in Nowshera Forest Division by GREF.

- Reference: (i) Minutes of the 101th Forest Advisory Committee held on 10.08.2017 under the Chairmanship of Chief Secretary (Chairman FAC) J&K, issued by Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2436/3577-95 dated 18.08.2017.
- (ii) Cabinet Decision No.177/11/2017 dated 03.10.2017 conveyed by the General Administration Department.
- (iii) PCCF/FCA/1251-II/5789-92 dated 29.11.2018 received from the office of Pr. Chief Conservator of Forests.

Government Order No:- 402 - FST of 2018
Dated:- 27. -12- 2018

Sanction is hereby accorded for the use of 14.677 Ha forest land for construction/improvement of road from Bhowani to Dharal (from 0.000 to Km 11.085) from foot tract to DGBRL CL9 specification in Nowshera Forest Division by GREF with the particulars:-

1.	User Agency/Applicant	GREF
2.	Location	Comptt. : 62/N, 63/N, 70/N, 73/N, 77/N & 86/N Range : Nowshera Block : Jhangar Division : Nowshera District : Nowshera
3.	Objective	Road construction is required for operational requirement of Indian Army to move vehicles, troops and the logistics. This will also benefit two villages of Gaillaugh and Kvethana.
4.	Salient Features of the project:	
	Total Length of the road	11.085 Km.

	II	Length of the road through Forest land	11085 Mtrs.
	III	Width of the road	12 Mtrs.
	IV	Therefore forest land required for road	13.302 Ha.
	V	Forest land required for muck (Mulba) Dumping (15 sites)	1.125 Ha. (62/N, 63/N, 70/N, 73/N, 77/N & 86/N)
	VI	Forest land required for passing places (27 Nos.)	0.25 Ha.
	VII	Total Forest land required	14.677 Ha.
	VIII	Protection work on Forest Land	In the project the user agency has proposed to construct 43 Nos of Cross Drainage works in entire length of the road in their technical report.
5.	Crop Density of the area		Dense
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 cost of acquisition at its own. 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.

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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
	B/ L (<i>Pinus roxburghii</i> and <i>Dalbergia sissoo</i>)	472	754	260	1486
	Total	472	754	260	1486
8.	Net Present Value of forest land involved:				
	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)
	62/N, 63/N, 70/N, 73/N, 77/N & 86/N	14.677	Dense	V	8.45
9.	Compensatory Afforestation for double the forest area involved i.e 29.354 Ha. @ Rs. 1 Lac per ha.				Rs. 29,35,400/-
10.	Compensation of trees/poles/saplings				Rs. 20,50,850/-
11.	Roadside Avenue plantation				Rs. 66,51,000/-

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 (Rs)
i	Net Present Value	Rs. 1,24,04,600/-
ii.	Compensation of trees	Rs. 20,50,850/-
iii.	Compensatory Afforestation	Rs. 29,35,400/-
iv.	Roadside Avenue plantation	Rs. 66,51,000/-
	Total	Rs. 2,40,41,850/-

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.
 - (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.
6. 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.
7. 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.
8. 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.
9. The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue before commissioning of the project.
10. The User Agency without compromising on security aspect, shall make efforts to reduce the road width to 10 m wherever possible.
11. Efforts shall be made by the User Agency to reduce the number of trees coming in alignment by 20% and the staff of Forest Department shall also be associated with this exercise.
12. The User Agency shall explore the possibility of using Geo-Synthetic Technology.
13. The User Agency shall make efforts to transplant the saplings of the species where such technology is feasible.

By order of the Government of Jammu & Kashmir.

Sd/-
(Manoj Kumar Dwivedi) IAS
Commissioner / Secretary to Government
Forest, Env. & Ecology Department.
Dated:- 27-12-2018.

No: FST/Land/43/2017

Copy to the:-

1. Secretary to the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
2. Principal Chief Conservator of Forests, J&K, Jammu.
3. Chief Conservator of Forests, Jammu.
- ✓ 4. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Jammu
5. Director, Archives, Archaeology & Museums J&K, Jammu
6. Major Officer Commanding 58 RCC (GREF) PIN 930058 C/O 56 APO.
7. Officer on Special Duty with the Advisor (K) to Hon'ble Governor.
8. Private Secretary to the Chief Secretary (Chairman FAC).
9. Pvt Secy. to Commr./Secretary to Government, Department of Forests, Environment & Ecology
10. Pvt. Secy. to Secretary (Technical) Department of Forest, Environment & Ecology.
11. Government order file.(w.2.s.c)

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/1251-II/ 7104-07

Dated 29 -12 -2018

Copy of above forwarded for necessary action to the.

1. Chief Conservator of Forests, Jammu.
2. Conservator of Forests, West Circle, Rajouri.
3. Divisional Forest Officer, Nowshera Forest Division, Nowshera.
4. Major Officer Commanding 58 RCC (GREF) PIN-930058 C/O 56 APO.

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(Savesh Rai), IFS,
APCCF (CAMPA)

Link Officer
CCF & Nodal Officer (FCA)

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29/12