



Government of Jammu and Kashmir  
Forests, Environment & Ecology Department

Subject:- Use of 9.0889 Ha of Forest land for construction of Railway Tunnel T-49B and portals for T-49b, T-50 and Bridge No.04 coming in the track of Railway Line by Northern Railway in Ramban Forest Division.

Reference: (i) Minutes of the 99th Forest Advisory Committee meeting held on 30-06-2017 under the Chairmanship of Chief Secretary (Chairman FAC) J&K, issued by the Chief Conservator of Forests/Nodal Officer (FCA) vide No.PCCF/FCA//2420/2813-29 dated 06-07-2017.

(ii) Cabinet Decision No.138/10/2017 dated 09-08-2017 conveyed by the General Administration Department.

(iii) Letter No. PCCF/FCA//2146-II/4391-92 dated 22-09-2017 received from the Pr. Chief Conservator of Forests, J&K,

Government Order No:- 04 -FST of 2018

Dated:- 04 -01 -2018.

Sanction is hereby accorded to use of 9.0889 Ha of Forest land for construction of Railway Tunnel T-49B and portals for T-49b, T-50 and Bridge No.04 coming in the track of Railway Line by Northern Railway in Ramban Forest Division, with the following particulars:-

1.	User Agency/Applicant	Northern Railway
2.	Location	Comptt. : 8,9,10,12/Banihal Block : Sarbagni Range : Banihal Division : Ramban District : Ramban
3.	Objective	To construct Tunnel T-49, Portals for T-49B, T-50 & Bridge No.4 on Udhampur-Srinagar-Baramulla Rail link.
4.	Salient Features of the project:	
	I	Forest land required for Tunnel T-49 B. 1800 Mtr x 25 Mtr = 4.50Ha. 200 Mtr x 40 Mtr = 0.80 Ha. 5.30 Ha.
	II	Forest land required for Portals of T-49B Tunnel & T-50 Tunnel 2.9053 Ha.
	III	Forest land required for Bridge 0.8836 Ha.

2146-II

0/2

h  
AM

08/11

8

	No.4				
IV	Details of Mulba Dumping	Mulba shall be dumped on Private Land. The final award has been issued by the ADC Ramban for Muck Dumping Yard and consent of owners has also been submitted.			
V	Total Forest land required	9.0889 Ha			
5.	Crop Density of the area	Dense			
6.	<b>Mandatory required information:-</b>				
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, however the Dy. Commissioner concerned has agreed to provide equivalent land for Afforestation involved in dumping yards. The user agency has agreed to pay the cost of afforestation on this land. Further it has undertaken to pay the NPV as per the Hon'ble Supreme court directions.			
7.	<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>
	Deodar	129	39	90	258
	Kail	21	08	30	59
	<b>Total</b>	<b>150</b>	<b>47</b>	<b>120</b>	<b>317</b>

8. Net Present Value of forest land involved:					
Comptt.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
8, 9,10,12/ Banihal	5.30 (For Escape Tunnel)	Open	VI	6.99	37,04,700
10,12/ Banihal	3.7889 (For Portals & Bridge)	Dense	VI	8.97	33,98,643
Total:	9.0889 Ha.				71,03,343/-

  

9.	Compensatory Afforestation: The Deputy Commissioner, Ramban vide letter No: 30-34/ACQ/Rly dated 11.04.2017 has proposed State Land measuring 3.788 Ha. Having Khasra No:1699 at village Kot Khari Tehsil Khari District Ramban in lieu of forest land for compensatory afforestation. Therefore only one time compensation for an area of 3.7889 Ha. @ 1 lac per Ha. shall be charged from the User Agency involved in dumping yards only. Compensatory Afforestation for construction of underground tunnels is exempted.	Rs.3,78,890/-
10.	Compensation of trees/poles/saplings	Rs.22,16,440 /-

However, the above sanction shall be subject to the terms and conditions as given here under:-

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 user Agency had made the payment in full of the amount summarized below, as reported by the Nodal Officer FCA, vide letter mentioned at Ref.(iii):-

S. No.	Component	Amount
i	Net Present Value	Rs. 71,03,343/-
ii	Compensatory Afforestation	Rs.3,78,890/-
iii	Compensation of Trees/Poles	Rs.22,16,440 /-
<b>Total</b>		<b>Rs.96,98,673 /-</b>

5. 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.
6. The User Agency shall pay the additional amount of NPV, if so determined as per decision of the Hon'ble Supreme Court of India.
7. (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.
8. 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.
9. 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.
10. 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.
11. 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/-  
(Saurabh Bhagat) IAS,  
Commissioner/ Secretary to Government  
Forest, env. & Ecology Department.  
Dated:- 4 -01-2018.

No:-FST/Land/34/2017

Copy to the:-

1. Secretary to the Govt. of India, Ministry of Env, Forests and Climate Change, New Delhi.
2. Commissioner/Secretary to Government, Public Works(R&B) Department.
3. Divisional Commissioner Jammu for information.
4. Principal Chief Conservator of Forests, J&K, Jammu.
5. Director, Social Forestry, J&K, Jammu.
6. CCF/Nodal Officer, FCA, office of the PCCF, J&K
7. Chief Conservator of Forest Jammu.
8. Director, Soil & Water Conservation Department, J&K, Jammu.
9. Director, Archives, Archaeology & Museums J&K, Jammu.
10. Chief Engineer, Northern Railway Jammu.
11. Officer on Special Duty with the Hon'ble Minister for forests, Environment & Ecology.
12. Special Assistant to Hon'ble MoS for Forest, Environment & Ecology.
13. Private Secretary to the Chief Secretary (Chairman FAC),
14. Private Secretary to Commissioner/.Secretary to Govt. Department of Forests, Env. & Ecology
15. P.A to Secretary (Technical) Department of Forest, Environment & Ecology.
16. Government order file/Stock file.

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

(Rajesh Kumar)  
Under Secretary to Government

**BY Fax**

NO. PCCF/FCA/2146-II/19296

Dated 01-01-2018

Copy of above forwarded for necessary action to the:-

1. Chief Conservator of Forests, Jammu.
2. Chief Engineer, Northern Railway, Jammu.
3. Conservator of Forests, Chenab Circle, Doda.
4. Divisional Forest Officer, Ramban Forest Division, Ramban.
5. Deputy Chief Engineer, Northern Railway, USBRL Project, Banihal.

(Dr. Mohit Gera) IFS  
Addl. Pr. C.C. Forests Central/  
Nodal Officer

07/11/18

08/01