



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

**Subject: Use of 2.25 Ha. of forest land for construction of road from Uri to Sukhdar in J.V Forest Division Baramulla by PMGSY.**

- Reference:**
- i. Minutes of 103rd Forest Advisory Committee (FAC) Meeting held on 08.01.2018 under the Chairmanship of Chief Secretary (Chairman FAC) issued by Chief Conservator of Forests/Nodal Officer vide No. PCCF/FCA/2540/823-46 dated 30.01.2018.
  - ii. Cabinet Decision No. 60/04/2018 dated 20.03.2018 conveyed by the General Administration Department.
  - iii. State Administrative Council Decision No. 189/19/2019 dated 30.07.2019 conveyed by General Administration Department.

*S.O (F&E)*  
*Pl of forest to*  
*all concerned*  
*By 18/10/19*

**Government Order No:- 313 -FST of 2019  
Dated:- 03 -10-2019**

Sanction is hereby accorded to the use of 2.25 Ha. of forest land for construction of road from Uri to Sukhdar in J.V Forest Division Baramulla by PMGSY with the following particulars and subject to the fulfillment of terms and conditions appearing herein after:-

**Details of the Proposal:**

1.	User Agency/Applicant	PMGSY
2.	Location	Comptt. : 57/Uri & 58/Uri Range : Uri Block : Uri Division : J.V Forest Division District : Baramulla
	Objective	To provide road connectivity to villages Sukhdar. The road is likely to benefit 350 souls.

*SA/EA*  
*for record*  
*18/10/19*  
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*R/O*  
*232*

**Salient Features of the project:**

I	Total Length of the road	5.20 Km.
II	Length of the road through Forest land	3750 Mtrs.
III	Width of the road	6.00 Mtrs.
IV	Therefore forest land required for road	2.25 Ha.
V	Mulba Dumping details	The User Agency has proposed 04 kanals of private land under survey No: 60 situated at Sukhdar Uri belonging to Gh. Hassan Turkhan S/o L. Khan Mohammad R/o Sukhdar Uri for mulba

*37*

*B*



			dumping.		
	VI	Total Forest land required	2.25 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 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.		
7.	Number of Trees / Poles/ Saplings involved:				
	Species	<i>Trees</i> (30-40cm & above)	<i>Poles</i> (20-30cm & 10-20cm)	<i>Saplings</i> (0-10cm)	<i>Total</i>
	Deodar	59	16	91	166
	Kail	7	4	4	15
	Total	66	20	95	181



Net Present Value of forest land involved:						
8.	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	57/Uri & 58/Uri	2.25	Very Dense	VI	9.91	Rs.22,29,750/-
9.	Compensatory Afforestation for double the forest area involved i.e 4.5 Ha. @ Rs. 1 Lac per ha.				Rs. 4,50,000/-	
10.	Compensation of trees/poles/saplings				Rs. 12,70,620/-	

The User Agency shall pay the amount summarized below to the Forest Department.

S.No.	Component	Amount (Rs)
i.	Net Present Value	Rs. 22,29,750/-
ii.	Compensation of trees	Rs. 4,50,000/-
iii.	Compensatory Afforestation	Rs. 12,70,620/-
<b>Total</b>		<b>Rs. 39,50,370/-</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 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 amount summarized above to the forest Department.
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, 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.
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.
12. The approval will remain valid for one year and in case the due amount against the project summarized above is not paid within the stipulated period, the approval shall be deemed to have been cancelled.
14. The user Agency shall bring down the road width to 5m to ensure minimums felling of Deodar and Kail trees and saplings.

**By order of the Government of Jammu and Kashmir.**

**Sd/-**

**(Manoj Kumar Dwivedi) IAS**

Commissioner/Secretary to Government  
Forest, Ecology & Environment Department.

Dated: 23.10.2019

**No:- FST/Land/09/2018**

**Copy to the :-**

1. Secretary to Government of India, MoEF&CC, New Delhi.
2. Commissioner/Secretary to Government, PW (R&B) Department.
3. Pr. Chief Conservator of Forests, J&K, Srinagar.
4. Managing Director, SFC, J&K, Srinagar.
5. Chief Conservator of Forests, Kashmir.
6. CCF/Nodal Officer, FCA, Office of PCCF, J&K, Srinagar.
7. Chief Engineer, PMGSY, J&K, Srinagar.
8. Director Archives, Archeology & Museums, J&K, Srinagar.
9. OSD to Hon'ble Advisor (K) for information of Hon'ble Advisor
10. Pvt. Secy. to the Chief Secretary (Chairman FAC).
11. Pvt. Secy. to Commr./Secretary to Government, Forests, Env. & Ecology Department.
12. Pvt. Secy. to Secretary(Technical) Forests, Env. & Ecology Department.
13. Government Order file (w.2.s.c)/Stock file.

Under Secretary to Government

Forest, Ecology & Environment Department.

**Government of Jammu and Kashmir**

Office of the Principal Chief Conservator of Forests, J&K

NO. PCCF/FCA/2237/ 4720-24

Dated 23-10-2019

**Copy of above forwarded for necessary action to the.**

1. Chief Conservator of Forests, Kashmir.
2. Chief Engineer, PMGSY, Kashmir.
3. Conservator of Forests, North Circle, Sopore.
4. Divisional Forest Officer, J.V Forest Division, Baramulla.
5. Executive Engineer, PMGSY Division Uri.

(Section Officer)

FCA Section

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