



GOVERNMENT OF JAMMU AND KASHMIR  
**CIVIL SECRETARIAT FOREST DEPARTMENT**

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Sub:- Diversion of 11.6314 hectare of forest land for construction of Tunnel (T-2) involved in widening and improvement of NH-1A from Banihal (Km 188.00) to Srinagar Km 286.00) by NHAI in Ramban Forest Division..

Ref: - Decision of the 49<sup>th</sup> Meeting of the Forest Advisory Committee meeting held under the Chairmanship of the Financial Commissioner (Revenue) J&K at Jammu on 14.01.2010 (Agenda item No. 49.06)

**Government Order No: 62 - FST of 2010**

**D a t e d: 16 .02.2010**

Sanction is hereby accorded to use of 11.6314 hectare of forest land for construction of Tunnel (T-2) involved in widening and improvement of NH-1A from Banihal (Km 188.00) to Srinagar Km 286.00) by NHAI falling in Compartment No. 47/Bnl in Ramban Forest Division District Ramban, subject to the following terms and conditions:-

1. The conditions imposed by the Chief Wildlife Warden will be strictly complied with, which are as under :-
  - i. The User Agency should follow the Eco-friendly Engineering Practices during the construction.
  - ii. User Agency should regularly monitor the ambient Air Quality and Noise Levels at the construction site and at two locations in the Conservation Reserve to be finalized with officials of the Department of Wildlife Protection monthly and should submit results to Department of Wildlife Protection.
  - iii. The construction site should be covered from all the four sides which will reduce air pollution by windborne constructing material and reduce noise levels.
  - iv. Regular sprinkling of water should be carried out on site for dust suppression and construction material will be kept moist wherever possible.
  - v. The User Agency, should while implementing the Environment Management Plan will abide by the orders to be issued by Court and follow provisions of the Jammu and Kashmir Wildlife Protection Act 1978 (Amended upto 2002).
  - vi. National Highway Authority of India will report compliances regularly to the Department of Wildlife Protection.
  - vii. Local people should be given preference in employment to minimize the impact on Wildlife due to influx of people should be given preference in employment to minimize the impact on Wildlife due to influx of people.

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- viii. All the staff involved in the construction will be informed about the do's and don't in Jawahar Tunnel Conservation Reserve.
- ix. Environment monitoring committee should be formed consisting of NHAI's representative and Wildlife Official under the Chairmanship of Regional Wildlife Warden, Jammu.
- x. No construction debris or muck generated due to the construction of Department of Wildlife Protection, Jammu and Kashmir for Conservation and Preservation of Wildlife and its habitat.
- xi. User Agency should pay 5% of the cost of the Project of the Department of Wildlife Protection, Jammu and Kashmir for Conservation and Preservation of Wildlife and its habitat.
- xii. A fixed percentage of Toll revenue collected by the User Agency from the User Agency passing through the diverted area of Jawahar Tunnel Conservation Reserve should be paid to Department of Wildlife Protection, Jammu and Kashmir to meet the recurring of maintenance and protection of Jawahar Tunnel Conservation Reserve.

2. The proprietary and legal status of forest land shall remain unchanged.
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 t o any other agency.
5. The User Agency shall pay the following amount after the forest clearance is accorded :

i.	Net Present Value	Rs. 81,30,348/-
ii.	Compensatory Afforestation	Rs. 5,81,570/-
	<b>TOTAL</b>	<b>Rs. 87,11,918/-</b>

6. The User Agency shall construct retaining walls/breast walls as per approved plan and design and take all necessary steps to check soil erosion which may result due to proposed construction of the road. The User Agency shall seek technical guidance in this respect from the Director, J&K Soil Conservation Department. A copy of the plan and design of the proposed road shall be made available to the Forest Department.
7. The User Agency shall not dump the debris on forest land and it be dumped in separate dumping sites.
8. Any damage done to the forest by the User Agency or its employees and contractors or people employed by them shall be charged from User Agency @ 10 times the standard rate of 1992.
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 and after it is rehabilitated properly by the User Agency.

10. The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue.
11. The possession of the Forest land diverted for non forestry purpose under the orders of the Competent Authority shall not be handed over to the user agency till all payments due against compensation of trees, NPV/compensation of land, compensatory afforestation costs are deposited with the forest department. Before handing over the possession of the land in question it should be further ensured that there are no outstanding dues with the said user agency in respect of the cases sanctioned in the past
12. The amount on account of various Heads to be paid by the user agency as detailed above shall be deposited with the Chief Accounts Officer in the Office of the Principal Chief Conservator of Forests, J&K.

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

*Sd/-*

(Shantmanu), IAS  
Commr./Secretary to Govt.,  
Forest Department

No: FST/Land/05/2010

Dated: 16 /02/2010

Copy to the:-

1. Principal Chief Conservator of Forests, J&K, Jammu.
2. Chief Conservator of Forests, Jammu.
3. Director, Soil Conservation, J&K Jammu.
4. Conservator of Forests, Working Plan Circle (Member Secretary Forest Advisory Committee)
5. Project Director, NHAI PIU, Jammu.
6. Special Assistant to Hon'ble Forest Minister.
7. Pvt Secretary to Commissioner/Secretary Forests
8. Government Order file/Stock file

*Mushtaq Ahmad 15.02.10*

(Mushtaq Ahmad)  
Dy. Secretary to Government,  
Forest Department