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27/4/2011

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

**Subject:** Proposal to allow use of 22.207 ha. of Forest land for construction of Chenani Nashri Tunnel in Batote Forest Division (Agenda item No. 55.01 (a) of 55<sup>th</sup> meeting of the Forest Advisory Committee held on 08.03.2011).

**Reference:** Cabinet Decision No. 90/9/2011 dated 20.04.2011.

Government Order No: 205 FST of 2011  
D a t e d: 21- 04 - 2011

Sanction is hereby accorded to use of 22.207 ha. of Forest land for construction of Chenani Nashri Tunnel in Compartments Nos. 17, 16 and 14 c/Btt of Range Batote in Batote Forest Division subject to the following terms and conditions :-

1. The proprietary and legal status of forest land shall remain unchanged.
2. The forest land shall be utilized only for the purpose for which it has been indented.
3. 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.
4. The User agency shall pay the following amount:-


i	Net Present Value	₹1,56,18,129/-
ii	Compensatory Afforestation (C. A)	₹22,20,700/-
iii	Compensation of trees/poles/saplings	₹86,505/-
<b>Total</b>		<b>₹1,79,25,334/-</b>

5. (a) Number of trees / poles / saplings involved:-

Species	Trees (30-40cm & Above)	Poles/Saplings (20-30 cm & below)	Saplings (0-10 cm)	Total
Chirpine green	2	4	5	11
Kail green	2	0	5	7
Champ green	12	0	10	22
<b>Total</b>	<b>16</b>	<b>4</b>	<b>20</b>	<b>40</b>

- (b) The extraction of the trees **except Khair trees** shall be done by the State Forest Corporation/Forest Department on the basis of markings

administratively approved by the Chief Conservator of Forests, Jammu. The cost of extraction and transportation shall be borne by the User Agency. **No Khair trees shall be allowed to be felled as there is ban on felling of such trees by Hon'ble Supreme court of India.**

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 widening/construction of the proposed road. The User Agency shall seek technical guidance in this respect from the Director, J&K Soil Conservation Deptt. 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 shall be dumped on separate dumping sites. Area of dumping sites will be included for additional diversion by the User Agency if not included in the proposal.
  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 rehabilitated properly by the User Agency.
  10. The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue.
  11. Foolproof Soil Conservation measures shall be undertaken by the user agency.
  12. The slope, load bearing capacity and the geographical formation involved be properly documented and vetted by a qualified Structural/ Geographical Engineer.
  13. Whenever necessary retaining walls and the breast walls be provided with provisions for terracing and best land use practices.
  14. Complete mapping of sub-surface Hydrological regime be done before the start of the project.
  15. Regarding the use of the landfill site & creation of utility infrastructures, a separate proposal be prepared and sent to the forest department.
  16. All approvals as required under any other law in vogue be obtained by the User agency. The NHAI shall strictly comply with the water and Air Acts for machinery and equipment to be employed for drilling/excavation etc. wherever applicable.
  17. The transportation of muck has to be on metalled roads and in closed vehicles to ward off air & visual pollution. The vehicles to be employed also need to comply with the standards as laid out for vehicular emissions.
  18. Geotextile layer be provided by the construction agency to separate water coming in contact with the muck.
  19. One or two alternate sites be also found for muck disposal.
  20. The proper disposal of the muck need to be ensured along with the planting of economically important species like *Zanthoxylum* (Timbru), *Berberies*, *Lycium* (Kaimblu), *Pistacia chinesis*, *Olia ferruginea*, *Withania somnifera*, *Sapium sebiferum* etc.
  21. Large Scale plantation of native species be undertaken along the right and left reclaimed banks of the stream stretch at the north as well as south portals.
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22. Steps shall be taken to protect the spawning sites for fish if any in the area.
23. Regular monitoring of the water quality in terms of turbidity, micro-flora, pH level etc be done and reported to forest department.
24. The money on account of various heads to be paid by the User Agency as detailed above shall be deposited with Chief Accounts Officer in the office of Pr. CCF, J&K.

***By Order of the Government of Jammu & Kashmir.***

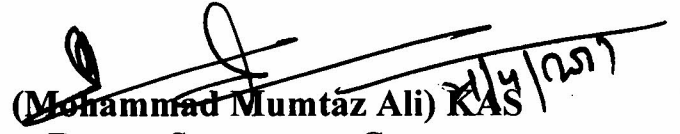
Sd/-  
( **Shantmanu** ), IAS  
Commr./Secretary to Government,  
Forest Department

No: FST/Land/13/2011

Dated: 2/.04.2011

Copy to the:-

1. Principal Chief Conservator of Forests, J & K, Jammu.
2. Director, Soil Conservation, J & K, Jammu.
3. Chief Conservator of Forests, Jammu.
4. Conservator of Forests, Working Plan and Research Circle, Jammu.
5. Principal Private Secretary to Chief Secretary (Chairman, FAC).
6. Special Assistant to Hon'ble Forest Minister.
7. DFO, Batote Forest Division.
8. Project Director, NHAI Udhampur.
9. Private Secretary to Commissioner/Secretary Forests.
10. P.A to Special Secretary (Technical), Forest Department.
11. Government Order file/Stock file.

  
(**Mohammad Mumtaz Ali**) KAS  
Deputy Secretary to Government,  
Forest Department  
2/25/4