



Government of Jammu and Kashmir
Forests, Environment & Ecology Department

Subject:- Use of 2.0832 Ha of forest land for construction of road from LO25- TO2 Km 1st Dhar upto Bhajwal by PMGSY in Nowshera Forest Division.

Reference: (i) Minutes of the 97th Forest Advisory Committee meeting held on 20-05-2017 under the Chairmanship of Chief Secretary(Chairman FAC) J&K, issued by the Chief Conservator of Forests/Nodal Officer(FCA) vide No.PCCF/FCA/2349-1/2211-32 dated 01-06-2017.

(ii) Cabinet decision No.88/6/2017 dated 16-06-2017 conveyed by the General Administration Department.

(iii) Letter No. PCCF/FCA//2082/5514-16 dated 22-11-2017. received from the Pr. Chief Conservator of Forests, J&K,

Government Order No:- 104 -FST of 2018

Dated:- 26 -03 -2018.

Sanction is hereby accorded to the use of 2.0832 Ha of forest land for construction of road from LO25- TO2 Km 1st Dhar upto Bhajwal by PMGSY in Nowshera Forest Division with the following particulars:-

1.	User Agency/Applicant	PMGSY
2.	Location	Comptt. : 123/D Block : Sunderbani Range : Sunderbani Division : Nowshera Forest Division District : Rajouri
3.	Objective of the proposal	To provide road connectivity to the habitation of Bhajwal-A with population of 538 souls located at distance of 5 Kms. in the South-East of Sunderbani town.
4.	Salient Features of the project:	
	I Total Length of the road	4.80 Km.
	II Length of the road through Forest land	2472 Mtrs.

III	Width of the road	6.00 Mtrs.
IV	Therefore forest land required for road	1.4832 Ha.
IV	Forest land required for Mulba Dumping (8 Sites each site with dimension of 50 Mtrs. x 15 Mtrs.)	0.6 Ha.
VI	Total Forest land required	2.0832 Ha
VII	Protection work on Forest Land	Retaining/Breast Wall = 291.40 Rmts. as per certificate given by Executive Engineer, PMGSY Rajouri.

5.

Mandatory required information:-

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.

6. Crop Density of the area

Dense

7. Number of Trees / Poles/ Saplings involved:

Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
Chir (Green)	26	62	03	91
B/L (Panser,Kamila)	00	00	57	57

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	Total	26	62	60	148
	*Besides 148 Trees/Poles/Saplings, 23 No. of Garna Bushes are also involved.				
8.	Net Present Value of forest land involved:				
	Comptt.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)
	123/D	2.0832	Dense	V	8.45
					Rs. 17,60,304/-
9.	Compensatory Afforestation for double the area involved i.e. 4.1664 Ha. @ 1 lac per Ha.				Rs.4,16,640/-
10.	Compensation of trees/poles/saplings				Rs.1,06,050/-
11.	Roadside Avenue Plantation				Rs.14,83,200/-

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.17,60,304/-
ii	Compensatory Afforestation	Rs.4,16,640/-
iii	Compensation of trees/poles/saplings	Rs.1,06,050/-
iv	Roadside Avenue Plantation	Rs.14,83,200/-
	Total	Rs.37,66,194/-

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:- 26 -03-2018.

No:-FST/Land/28/2017

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. Principal Chief Conservator of Forests, J&K, Jammu.
4. Divisional Commissioner Jammu for information.
5. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Jammu
6. Director ,Archives, Archaeology & Museums J&K, Jammu.
7. Chief Conservator of Forest , Jammu.
8. Chief Engineer, PMGSY, Jammu.
9. Officer on Special Duty with the Hon'ble Minister for forests, Environment & Ecology.
10. Special Assistant to Hon'ble MoS for Forest, Environment & Ecology.
11. Private Secretary to the Chief Secretary (Chairman FAC),
12. Private Secretary to Commissioner/Secretary to Govt. Department of Forests, Env. & Ecology.
13. P.A to Secretary (Technical) Department of Forest, Environment & Ecology.
14. Government order file/Stock file.

(Umesh Sharma)
Under Secretary to Government

Government of Jammu and Kashmir

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

NO. PCCF/FCA/2082/1962-66. Dated 2 -04-2018

Copy of above forwarded for necessary action to the:-

1. Chief Conservator of Forests, Jammu.
2. Chief Engineer, PMGSY, Jammu.
3. Conservator of Forests, West Circle, Rajouri.
4. Divisional Forest Officer, Nowshera Forest Division, Nowshera.
5. Executive Engineer, PMGSY Division Rajouri.

(Abdul Gani) IFS

Chief Conservator of Forests/
Nodal Officer (FCA)

02/04/2018

02/04