



Government of Jammu and Kashmir
Forests, Environment & Ecology Department

Subject:- Use of 0.75 Ha of forest land for construction of road from Prowa Jagir to Chigla Paddar in Udhampur Forest Division by PMGSY"

Reference: (i) Minutes of the 102nd Forest Advisory Committee meeting held on 06-09-2017 under the Chairmanship of Chief Secretary(Chairman FAC) J&K, issued by the Chief Conservator of Forests/Nodal Officer(FCA)vide No.PCCF/FCA/2450/4143-63 dated 12-09-2017.

(ii) Cabinet decision No.178/11/2017 dated 03-10 -2017 conveyed by the General Administration Department.

(iii) Letter No. PCCF/FCA//2378/275-77 dated 11-01-2018. received from the Pr. Chief Conservator of Forests, J&K,

Government Order No:- 41 -FST of 2018

Dated:- 14 -02-2018.

Sanction is hereby accorded to the use of 0.75 Ha of forest land for construction of road from Prowa Jagir to Chigla Padder in Udhampur Forest Division by PMGSY, with the following particulars:-

1.	User Agency/Applicant	PMGSY
2.	Location	Comptt. : 95b/U and 95a/U Range : Udhampur Block : Ghordi Division : Udhampur Forest Division District : Udhampur.
3.	Objective	To provide road connectivity to village Chigla Padder. The road will benefit population of 287 people.
4.	Salient Features of the project:	
	I	Total Length of the road
		4.60 Km.

	II	Length of the road through Forest land	1250 Mtrs.
	III	Width of the road	6.00 Mtrs.
	IV	Therefore forest land required for road	0.75 Ha.
	V	Area Proposed for the Muck disposal sites on Forest Land	Nil. The User Agency has informed that mulba shall be dumped in private land and to this effect consent of the owners namely Charan Dass, Parshotam Lal and Hans Raj has been obtained, and necessary affidavit is attached.
	VI	Total forest area involved in the proposed project	0.75 Ha.
	VII	Protection work	The detail of protection works such as R/B Walls and Edge Walls is given in the DPR.
	5.	Crop Density of the area	Open Forest
	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.	Compensatory Afforestation not applicable as the area is less than one hectare. However, the user agency has undertaken to pay the cost to pay the NPV as per the Hon'ble Supreme court directions.

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6.	Number of Trees / Poles/ Saplings involved.					
	Species	Trees (30-40cm & above)	Polès (20-30cm & 10-20cm)	Saplings (0-10cm)	Total	
	Chir	57	2	0	59	
	Broad leaved –Kainth (<i>Pyrus peshia</i>), Krangal (<i>Cyssia fistula</i>)& Tali (<i>D. sissoo</i>)	6	21	104	131	
	Total	63	23	104	190	
Net Present Value of forest land involved:						
7.	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	95b/U and 95a/U	0.75	Open	V	6.57	4,92,750/-
8.	Compensatory Afforestation				Nil	
9.	Compensation of trees/poles/saplings				Rs.4,60,000/-	

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.4,92,750/-
ii.	Compensation of trees	Rs.4,60,000 -
Total		Rs. 9,52,750/-

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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 Environment & Ecology Deptt.

Dated:- 14-02-2018.

No:-FST/Land/44/2017

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
6. Director, Archives, Archaeology & Museums J&K, Jammu.
7. Chief Conservator of Forests, 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.

Under Secretary to Government
Forest, Env. & Ecology/Deputy

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

BY Fax

NO. PCCF/FCA/2378/ 1278-82

Dated 16-02-2018

Copy of above forwarded for further necessary action at your end.

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

(Abdul Gani), IFS,
Chief Conservator of Forests &
Nodal Officer (FCA)