



Government of Jammu and Kashmir
Department of Forest, Environment & Ecology
Civil Secretariat, Jammu.
www.jkforestadm.nic.in

Subject:- Use of 2.2825 Ha. of forest land for construction of road from LO 43 Keri to Naghoon in Rajouri Forest Division by PMGSY.

- Reference:-(i) Minutes of 109th meeting of the Forest Advisory Committee held on 19.07.2018 under the Chairmanship of Chief Secretary J&K(Chairman FAC), issued by the Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2715/4139-64 dated 25.07.2018.
- (ii) State Administrative Council Decision No. 47/8/2018 dated 08.08.2018.
- (iii) Letter No. PCCF/FCA/2286/1233-35 dated 12.03.2019 received from the Pr. Chief Conservator of Forests, J&K.

Government Order No:- III -FST of 2019
D a t e d :- 02 -04- 2019

Sanction is hereby accorded to the use of 2.2825 Ha. of forest land for construction of road from LO 43 Keri to Naghoon in Rajouri Forest Division by PMGSY with the following particulars:-

Details of the Proposal:-

1.	User Agency/Applicant	PMGSY
2.	Location	Comptt. : 26/R Block : Doongi Range : Rajouri Division : Rajouri Forest Division District : Rajouri
3.	Objective	To provide road connectivity to village Miari-Manyalan, Tara Dawal & Nagoon. The road will benefit population of 727 people as per census 2011.
4.	Salient Features of the project:	
	I	Total Length of the road 9.60Km.
	II	Length of the road through Forest land 2925 Mtrs.
	III	Width 5.00 Mtrs.
	IV	Therefore forest land required for road 1.4625 Ha.
	V	Forest Land required for 06 Muck Dumping site 0.82 Ha.
	VI	Total forest Land involved 2.2825 Ha.
	VII	Protection work The details of protection works such Retaining/Breast/Edge Walls, have been

*Government order
III-FST of 2019
already entered
in system*

			provided in DPR as per requirement.			
5.	Number of Trees/Poles/Saplings involved:					
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total	
	Chir (<i>Pinus roxburghii</i>)	66	68	270	404	
	Total	66	68	270	404	
	* 1500 Cassera and 225 Kamila bushes are also involved.					
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 an equivalent area at its own cost of acquisition. 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.	Net Present Value of forest land involved:					
	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	26/R	2.2825	Very Dense	V	9.39	Rs.21,43,268/-
8.	Compensatory Afforestation for double the area i.e. 4.565 Ha. @ Rs. 1 lakh per Hectare					Rs.4,56,500/-
9.	Compensation of trees/poles/saplings					Rs.5,37,957/-
10.	Roadside Avenue Plantation					Rs.17,40,000/-

The user Agency has made the payment in full of the amount summarized below, as reported by PCCF, vide letter mentioned at Ref.(iii):-




S.No.	Component	Amount
i.	Net Present Value	Rs.21,43,268/-
ii.	Compensatory Afforestation	Rs.4,56,500/-
iii.	Compensation of trees	Rs.5,37,957/-
iv.	Roadside Avenue Plantation	Rs.17,40,000/-
Total		Rs. 48,77,725/-

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.
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 additional amount of NPV, if so determined as per decision of the Hon'ble Supreme Court of India.
5. (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.
6. 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.
7. Any damage done to the forest by the User Agency or its contractors shall be charged from the User Agency @ 10 times as per the revised standard rate of 2018 issued vide the Government Order No: 10-FST of 2018 dated: 09.01.2018.
8. 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.
9. 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/-

Manoj Kumar Dwivedi)IAS
Commissioner/Secretary to Government,
Forest, Ecology & Environment Department

No:-FST/land/72/2018

Dated:- 02 -04-2019




Copy to the:-

01. Secretary to Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
02. Commissioner/Secretary to Government, PW(R&B) Department
03. Principal Chief Conservator of forests, J&K, Jammu
04. Managing Director, State Forest Corporation, J&K, Jammu
05. Chief Conservator of Forests, Jammu
06. CCF/Nodal Officer, FCA, Office of PCCF, J&K, Jammu.
07. Chief Engineer PMGSY, Jammu.
08. Director Achieves, Archaeology & Museums, J&K, Srinagar
09. 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 the Commr./Secretary to Government, Forest, Ecology & Env. Department
12. Pvt. Secy. to Secretary (Technical), Forest, Ecology & Environment Department
13. Government Order file(w.2.S.Cs)/Stock file.

Under Secretary to Government,
Forest, Environment & Ecology Department

