



Government of Jammu and Kashmir
Department of Forest, Environment & Ecology
Civil Secretariat, Jammu.

Subject:- Use of 1.4884 Ha. of forest land for Up-gradation of road from Pathan Mohra to Pallulion (Kheri Manyal) in Rajouri Forest Division by PMGSY.

Reference:- (i) Minutes of 111th meeting of the Forest Advisory Committee held on 04.01.2019 under the Chairmanship of Chief Secretary J&K (Chairman FAC), issued by the Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2800/228-51 dated 11.01.2019.

(ii) State Administrative Council Decision No. 25/03/2019 dated 25.01.2019.

(iii) Letter No. PCCF/FCA/2690/1230-32 dated 12.03.2019 received from the Pr. Chief Conservator of Forests, J&K.

Government Order No:- 115 -FST of 2019

Dated:- 02 -04- 2019

Sanction is hereby accorded to the use of 1.4884 Ha. of forest land for Up-gradation of road from Pathan Mohra to Pallulion (Kheri Manyal) in Rajouri Forest Division by PMGSY, with the following particulars:-

Details of the Proposal:

1.	User Agency/Applicant	PMGSY
2.	Location	Comptt. : 21/R, 22/R/ 23/R, 24/R, 25/R, 44/R, 46/R, 49/R, 50/R & 51/R Block : Doongi Range : Rajouri Division : Rajouri Forest Division District : Rajouri
3.	Objective	There already exists road which has been constructed by Army during 1970 later on handed over to PWD Department. Now PMGSY has to upgrade it by widening the same. The road connects village Naghoon, Manyal & Sawni benefitting 2083 souls as per 2011 census.
4.	Salient Features of the project:	
	I	Total Length of the road 24.00 Km.
	II	Length of the road through Forest land 13704 Mtrs.
	III	Widening width required 1 Mtr

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	IV	Therefore forest land required for road.	1.3704 Ha.		
	V	Forest land required for (8) Muck dumping sites: i. 10mx10m (1 site) ii. 15mx10m (3 sites) iii. 25mx15m (1 site) iv. 15mx8m (1 site) v. 10mx8m (1site) vi. 8mx8m (1site)	0.118 Ha.		
	VI	Total forest area involved	1.4884 Ha.		
	VII	Protection work	The details of protection works such as Breast/Retaining walls has been provided in DPR as per requirement.		
5.	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 purpose, 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.		
6.	Number of Trees / Poles/ Saplings involved:				
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
	Chir (Pinus roxiburghii)	366	225	22	613

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	Broad Leaved: Kawoo (<i>Olea ferruginea</i> Royle)	2	1	0	3	
		368	226	22	616	
	<i>*10 No. of Bushes are also involved</i>					
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.)
	21/R, 22/R/ 23/R, 24/R, 25/R, 44/R, 46/R, 49/R, 50/R & 51/R	1.4884	Dense	V	8.45	Rs.12,57,698/ -
8	Compensatory Afforestation for double the area involved i.e. 2.9768 Ha. @ Rs. 1 lac per Ha.			Rs.2,97,680/-		
9.	Compensation of trees/poles			Rs.20,10,326/-		

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.12,57,698/-
ii.	Compensatory Afforestation	Rs.2,97,680/-
iii.	Compensation of trees/poles	Rs.20,10,326/-
	Total	Rs.35,65,704/-

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.
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 to any other agency.
5. The User Agency shall pay the additional amount of NPV, if so determined as per decision of the Hon'ble Supreme Court of India.
6. (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.
7. 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.
 8. 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.
 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.
 10. 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
Dated:- 02-04-2019

No:-FST/land/99/2018

Copy to the:-

1. Secretary to Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
2. Commissioner/Secretary to Government, PW(R&B) Department.
3. Principal Chief Conservator of forests, J&K, Jammu
4. Managing Director, State Forest Corporation, J&K, Jammu
5. CCF/Nodal Officer, FCA, Office of PCCF, J&K, Jammu
6. Chief Conservator of Forests, Jammu
7. Director Achieves, Archaeology & Museums, J&K, Jammu.
8. Chief Engineer PMGSY, J&K, Jammu.
9. 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

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

NO. PCCF/FCA/2690/ 1818-22

Dated 22-04-2019

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, Rajouri Forest Division, Rajouri.
5. Executive Engineer, PMGSY Division, Rajouri.

(P.K.Raghaw), IFS,
CCF & Nodal Officer (FCA)