

5173
14/6/19

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

Subject:- Use of 14.228 Ha. Of forest land for main approach road from T14 P2 (IND) RD 0.00 adit @ 74/036 RD 3100 Muck dumping yard (02 No) land above Adit and Poartal of adit of T14 in Mahore Forest Division by Northern Railway (USBRL Project).

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/2705/867-69 dated 07.05.2019 received from the Pr. Chief Conservator of Forests, J&K.

Government Order No:- 174-FST of 2019
Dated:- 13-06-2019

Sanction is hereby accorded to the use of 14.228 Ha. of forest land for main approach road from T14 P2 (IND) RD 0.00 adit @ 74/036 RD 3100 Muck dumping yard (02 No) land above Adit and Poartal of adit of T14 in Mahore Forest Division by Northern Railway (USBRL Project) with the following particulars:-

Details of the Proposal :-

1.	User Agency/Applicant	NORTHERN RAILWAY
2.	Location	Comptt. : 70/Ar and 71/Ar Block : Dehda Range : Gool Division : Mahore Forest Division District : Ramban
3.	Objective	To link Udhampur through Railway with Srinagar-Baramulla (Declared as National Project)
4.	Salient Features of the project:	
	Forest land required for main approach road	7.50 Ha

		Comptt	Length (Mtrs)	Width (Mtrs)	Forest area required (Ha)	
		70/Ar	500	20	1.00	
		71/Ar	1000	20	2.00	
		71/Ar	1500	30	4.5	
	II	Forest land required for Adit open cut and portal				4.64 Ha
		Comptt	Length (Mtrs)	Width (Mtrs)	Forest area required (Ha)	
		71/Ar	200	200	4.00	
		71/Ar	640	10	0.64	
	III	Forest land required for 02 Muck dumping sites				2.088 Ha.
		Comptt	Length (Mtrs)	Width (mtrs)	Forest area (Ha)	
		71/Ar	69.41	80.30	0.557 Ha	
		71/Ar	146.67	104.36	1.531 Ha	
	IV	Total forest area involved				14.228 Ha.
	V	Protection work				No requirement of protection work been reported, however the user agency shall take care of soil and water conservation in the area

5. Number of Trees / Poles/ Saplings involved:

Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
Chir (<i>Pinus roxburgii</i>)	214	0	0	214
Total	214	0	0	214

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	Yes

		required area is the minimum needed for the purpose, and													
	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.												
Net Present Value of forest land involved:															
7.		<table><tr><th>Comptt. No.</th><th>Area involved (Ha.)</th><th>Crop Density</th><th>Eco-Value Class</th><th>Rate/ Ha (Rs. In Lac)</th><th>Amount (Rs.)</th></tr><tr><td>70/Ar and 71/Ar</td><td>14.228 Ha</td><td>Dense</td><td>V</td><td>8.45</td><td>Rs.1,20,22,660</td></tr></table>	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)	70/Ar and 71/Ar	14.228 Ha	Dense	V	8.45	Rs.1,20,22,660	
Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)										
70/Ar and 71/Ar	14.228 Ha	Dense	V	8.45	Rs.1,20,22,660										
8.	Compensatory Afforestation for double the area involved i.e. 28.456 Ha. @ Rs.1 lakh per Ha				Rs. 28,45,600/-										
9.	Compensation of trees/poles/saplings				Rs. 9,76,090/-										

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. 1,20,22,660/-
ii.	Compensatory Afforestation	Rs. 28,45,600/-
iii.	Compensation of trees	Rs. 9,76,090/-
Total		Rs. 1,58,44,350/-

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.

A

B

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 borne & 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-EST 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: 13/06/2019

No:-FST/land/99/2018

Copy to the:-

01. Secretary to Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
02. Principal Chief Conservator of forests, J&K, Srinagar
03. Chief Conservator of Forests, Jammu
04. CCF/Nodal Officer, FCA, Office of PCCF, J&K, Srinagar
05. Director Achieves, Archaeology & Museums, J&K Srinagar
06. Deputy Chief Engineer, Northern Railways (USBRL Project), Jammu.
07. OSD to Hon'ble Advisor(K) for information of Hon'ble Advisor
08. Pvt. Secy. to the Chief Secretary (Chairman FAC).
09. Pvt. Secy. to the Commr./Secretary to Government, Forest, Ecology & Env. Department
10. Pvt. Secy. to Secretary (Technical), Forest, Ecology & Environment Department
11. Government Order file (w.2.S.Cs)/Stock file.

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

Under Secretary to Government,
Forest, Environment & Ecology Department

NO. PCCF/FCA/2705/2325-29

Dated 19-06-2019

Copy of above forwarded for necessary action to the.

1. Chief Conservator of Forests Jammu.
2. Chief Engineer, South USBRL Project, Northern Railway, Satyam Complex, Trikuta Nagar Jammu.
3. Conservator of Forests, West Circle, Rajouri.
4. Divisional Forest Officer, Mahore Forest Division, Mahore.
5. Deputy Chief Engineer/Constn Northern Railway, Sangaldan.

(K.Ramesh Kumar), IFS,
CCF & Nodal Officer (FCA)