



**Government of Jammu and Kashmir**  
**Department of Forest, Environment & Ecology**  
**Civil Secretariat, Srinagar**  
[www.jkforestadm.nic.in](http://www.jkforestadm.nic.in)

**Subject:-** Use of 4.79 Ha. of forest land for construction of Mawar-I SHP project (4.50 MW) in Langate Forest Division by JKEDA.

**Reference:** (i) Minutes of the 103<sup>rd</sup> meeting of the Forestry Advisory Committee held on 08.01.2018 under the Chairmanship of Chief Secretary J&K, issued by the Chief Conservator of Forests/Nodal Officer(FCA) vide No.PCCF/FCA/2540/823-46 dated 30.01.2018.  
(ii) Cabinet Decision No. 60/04/2018 dated 20.03.2018.  
(iii) Letter No.PCCF/FCA/2428/2296-98 dated 16.04.2018 received from the Pr. Chief Conservator of Forests (HoFF), J&K,

**Government Order No: - 205-FST of 2019**  
**D a t e d:- 04 -07-2019**

Sanction is hereby, accorded to the use of 4.79 Ha. of forest land for construction of Mawar-I SHP project (4.50 MW) in Langate Forest Division by JKEDA subject to the following terms and conditions:-

1.	User Agency/Applicant	JKEDA
2.	Location	Comptt. : 31d/ Mawar, 32d/Mawar. Range : Mawar. Block : Nowgam. Division : Langate Forest Divn. District : Kupwara.
	Objective	The objective of project is to divert design discharge from Mawar Nala using a weir to a power house located 900 Mtr. downstream through a water conductor system consisting of power conduit embedded near river bed, surge tank and penstock. The project is proposed to use gross head of 82.5 Mtr. & 6.66 curves of discharge to generate 4.5 MW of installed capacity.
4.	Salient Features of the project:	
	I	Head works cum intake 0.80 Ha.
	II	Desilting basin 0.30 Ha.

*certified*  
*18/7*

*S.O (FCA)*

*18/07/19*

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*2420*

*Sanction Govt.*  
*205-FST 9/19*

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*date of signature*

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*[Signature]*

	III	Forebay Tank	0.16 Ha.		
	IV	Steel Pipe	1.13 Ha.		
	V	Power House and Switchyard	0.48 Ha.		
	VI	Tailrace Channel	0.05 Ha.		
	VII	Dumping Yard I	0.19 Ha.		
	VIII	Dumping Yard II	0.23 Ha.		
	IX	Dumping Yard III	1.18 Ha.		
	X	Approach road to head works	0.27 Ha.		
	XI	Total Forest Area involved	<b>4.79 Ha.</b>		
	XII	Protection Work	Protection work to retain Nallah on both sides of Headworks site is proposed by way of Randon Rubble Masonary for a length of 100 Mtr. each side as per DPR.		
5.	Crop Density of the area		Very Dense		
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 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.		
7.	Number of Trees / Poles/ Saplings involved:				
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
	Kail	70	15	70	155
	Fir	88	21	16	125
	Total	158	36	86	280



8.	Net Present Value of forest land involved:					
	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	31d/Mawar 32d/Mawar	4.79	Very Dense	V	9.39	Rs.44,97,810/-
9.	Compensatory Afforestation for double the forest area involved i.e 9.58 Ha. @ Rs. 1 Lac per ha.				Rs.9,58,000/-	
10.	Compensation of trees/poles/saplings				Rs. 22,81,940/-	

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. 44,97,810/-
ii.	Compensatory Afforestation	Rs. 9,58,000/-
iii.	Compensation of trees	Rs. 22,81,940/-
<b>Total</b>		<b>Rs. 77,37,750/-</b>

#### 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, Kashmir. 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 the standard rate of 1992.

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- 9 The forest land so allowed for use shall return to the Forest Department encumbrances when it is no longer required by the User Agency.
10. The User Agency shall be responsible for obtaining requisite clearances other law in vogue before commissioning of the project.
- 11 The User Agency shall ensure that the pole/saplings of kail and Fir to be removed transplanted under technical guidance of the Forest Department.

**By order of the Government of Jammu & Kashmir.**

Sd/-  
(Manoj Kumar Dwivedi)  
Commissioner / Secretary to Government  
Forest, Environment & Ecology

No: FST/Land/09/2018

Dated:- 09/07/2019

Copy to the:-

1. Secretary to the Government of India, Ministry of Environment, Climate Change, New Delhi.
2. Principal Chief Conservator of Forests (HoFF) J&K, Srinagar.
3. Commissioner/ Secretary to Government Science & Technology Department
4. Chief Conservator of Forests, Srinagar
5. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Srinagar.
6. Director, Archives, Archaeology & Museums J&K, Srinagar.
7. P S to Hon'ble Advisor (Forests) for kind information of Hon'ble Advisor
8. Private Secretary to the Chief Secretary (Chairman FAC).
9. Private Secretary to Pr. Secretary to Government, Department Environment & Ecology
10. P A to Secretary (Technical) Department of Forest, Environment & Ecology
11. Government order file

Under Secretary to Government  
Forest, Environment & Ecology Department

**Government of Jammu and Kashmir**  
Office of the Principal Chief Conservator of Forests, Srinagar

No: PCCF/FCA/2428 / 2382-86

Dated: 20/07/2019

Copy of above forwarded for necessary action to the:

1. Chief Conservator of Forests, Kashmir.
2. Conservator of Forests, Working Plan Circle Srinagar.
3. Conservator of Forests North Circle Sopore
4. Divisional Forest Officer, Langate Forest Division.
5. Executive Engineer, JAKEDA Science & Technology Department

(Section Officer)

O/a Chief Conservator of Forests,  
(FCA)/ Nodal Officer