

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

Subject:-Use of 0.09 Ha of forest land for construction of road from Bansa Morh to Barnike by PMGSY in Udhampur Forest Division.

- Reference:-(i)Minutes of the 104th Forest Advisory Committee held on 21.02.2018 under the Chairmanship of Chief Secretary (Chairman FAC) J&K, issued by Chief Conservator of Forests/Nodal Officer (FC A) vide No. PCCF/FCA/2577/1408-34 dated 28.02.2018.
- (ii) Cabinet decision No. 67/5/2018 dated 24-04-2018 conveyed by the General Administration Department.
- (iii) PCCF/FCA/2373/1916-18 dated 09.05.2019 received from the Pr. Chief Conservator of Forests, J&K.

Government Order No:-206 -FST of 2019
Dated:- 04-07-2019

Sanction is hereby accorded to the use of 0.09 Ha of forest land for construction of road from Bansa Morh to Barnike by PMGSY in Udhampur Forest Division with the following particulars:-

Details of the Current Proposal:

1.	User Agency/Applicant	PMGSY
2.	Location	Comptt. : 17a/U Block : Guddar Range : Udhampur Division : Udhampur Forest District : Udhampur
3.	Objective	To provide road connectivity to village Barnike. The road will benefit population of 380 people.
4.	Salient Features of the project:	
	I	Total Length of the road 2.50 Km.
	II	Length of the road through Forest land 150 Mtrs.

III	Width of the road	6.00 Mtrs.
IV	Therefore forest land required for road	0.09 Ha.
V	Forest Land for the Muck dumping site	Nil (The User Agency will dispose the Muck on private land)
VI	Total forest area involved in the proposed project	0.09 Ha.
VII	Protection work	The details of protection works such as R/Wall and B/Wall shall be provided as per the DPR.

5. **Crop Density of the area**

Open Forest

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

Yes

d Whether the department or authority requisitioning forest land for non-forest uses undertakes to provide at its own cost acquisition or 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 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
Chir	05	20	10	35
Total	05	20	10	35

8.	Net Present Value of forest land involved:					
	Comptt. No.	Area involve d (Ha.)	Crop Densit y	Eco- Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	17a/U	0.09	Open	V	6.57	Rs. 59,130/-
9.	Compensatory Afforestation				Nil (As the Area is less than 1 Ha.)	
10.	Compensation of trees/poles/saplings				Rs. 6,86,488/-	

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. 59,130/-
iii.	Compensation of Trees	Rs. 6,86,488/-
Total		Rs. 7,45,618/-

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.

by 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 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 & Kashmir.

Sd/-

(Manoj Kumar Dwivedi) IAS

Commissioner / Secretary to Government

Forest, Environment & Ecology Department.

Dated:- 04-07-2019.

No:- FST/Land/19/2018

Copy to the:-

- 01 Secretary to the 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, Srinagar
- 04 Managing Director, State Forest Corporation, J&K, Srinagar
- 05 Chief Conservator of Forests, Jammu
- 06 CCF/Nodal Officer, FCA, office of the PCCF, J&K, Jammu
- 07 Chief Engineer PMGSY, Jammu
- 08 Director, Archives, Archaeology & Museums J&K, Srinagar
- 09 OSD to Hon'ble Advisor (K) for kind information of Hon'ble Advisor
- 10 Private Secretary to the Chief Secretary (Chairman FAC).
- 11 Private Secretary to Comm/Secretary to Government, Department of Forests, Environment & Ecology
- 12 Pvt Secy to Secretary (Technical) Department of Forest, Environment & Ecology
- 13 Government order file no 2 s.c.

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/2373 / 2587-92

Copy of above forwarded for necessary action to the:

Dated: 20/07/2019

1. Chief Conservator of Forests, Jammu.
2. Conservator of Forests, Working Plan Circle Srinagar.
3. Conservator of Forests East Circle, Jammu
4. Chief Engineer, PMGSY, Jammu.
5. Divisional Forest Officer, Udhampur Forest Division.
6. Executive Officer, PMGSY Division Udh-I, udhampur

(Section Officer)

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