



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

Subject: Use of 10.61 Ha. of forest land for construction of Kehmil SHP project (10MW) in Kehmil Forest Division by JKEDA.

- Reference:**
- Minutes of 103rd Forest Advisory Committee (FAC) Meeting held on 08.01.2018 under the Chairmanship of Chief Secretary (Chairman FAC) issued by Chief Conservator of Forests/Nodal Officer vide No. PCCF/FCA/2540/823-46 dated 30.01.2018.
 - Cabinet Decision No. 60/04/2018 dated 20.03.2018 conveyed by the General Administration Department.
 - State Administrative Council Decision No. 189/19/2019 dated 30.07.2019 conveyed by General Administration Department.

Government Order No:- 312-FST of 2019
Dated:- 03 -10-2019

Sanction is hereby accorded to the use of 10.61 Ha. of forest land for construction of Kehmil SHP project (10 MW) in Kehmil Forest Division by JKEDA with the following particulars and subject to the fulfillment of terms and conditions appearing herein after :-

Details of the Current Proposal:

1.	User Agency/Applicant	JKEDA
2.	Location	Comptt. : 18/D,19/D,23/Bud & 24/Bud. Range : Ramhal. Block : Chokibal. Division : Kehmil Forest Divn. District : Kupwara.
	Objective	The project is envisaged to divert design discharge from Kehmil Nala using a weir to a power house located 5.8 Km downstream through a water conductor system consisting of trapezoidal channel, forebay and penstock. The project is proposed to use gross head of 199 Mtr. & 6.61 cumecs of discharge to generate 10 MW of installed capacity.
4.	Salient Features of the project:	
	I	Head works cum intake 0.65 Ha.
	II	Desilting basin 0.18 Ha.
	III	Power channel 1.12 Ha.
	IV	Intake pool 0.32 Ha.

V	Steel pipe	3.05 Ha.
VI	Pressure release pipe	0.43 Ha.
VII	Surge tank	0.25 Ha.
VIII	Power House TRC & Switch Yard	0.72 Ha.
IX	Approach road to Power House	1.05 Ha.
X	Approach road to Surge Tank	0.58 Ha.
XI	Residential Quarters	0.30 Ha.
XII	Dumping Yard 1+Yard 2+ Yard 3	1.96 Ha.
Total Forest Area Involved		10.61 Ha.
XIII	Protection Work	Dumping Area at yards by way of wirecrates filling 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
Deodar	31	19	8	58
Kail	100	112	101	313
Fir	139	60	39	238
B.Leaved	04	0	0	04
Total	278	191	148	613

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.)
	18/D,19/D, 23/Bud & 24/Bud	10.61	Very Dense	V	9.39	Rs. 99,62,790/-
9.	Compensatory Afforestation for double the forest area involved i.e 21.22 Ha. @ Rs. 1 Lac per ha.				Rs. 21,22,000/-	
10.	Compensation of trees/poles/saplings				Rs. 26,16,700/-	

The User Agency shall pay the amount summarized below to the Forest Department.

S.No.	Component	Amount
i.	Net Present Value	Rs. 99,62,790/-
ii.	Compensatory Afforestation	Rs. 21,22,000/-
iii.	Compensation of trees	Rs. 26,16,700/-
	Total	Rs. 1,47,01,490/-

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 amount summarized above to the Forest Department.
6. The User Agency shall pay the additional amount of NPV, if so determined as per decision of the Hon'ble Supreme Court of India.
7. (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.
8. 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.
9. 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.

10. 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.
11. The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue before commissioning of the project.
12. The approval will remain valid for one year and in case the due amount against the project summarized above is not paid within the stipulated period, the approval shall be deemed to have been cancelled.
14. The user Agency shall make efforts to reduce the number of trees coming in alignment by 20% by involving the staff of Forest Department in the exercise.
15. The User Agency shall ensure that the poles/saplings of Deodar, Kail and Fir to be removed shall be transplanted under the technical guidance of the Forest Department.

By order of the Government of Jammu and Kashmir.

Sd/-

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

Dated: 03.10.2019

No:- FST/Land/33/2017

Copy to the :-

1. Secretary to Government of India, MoEF&CC, New Delhi.
2. Commissioner/Secretary to Government, Science & Technology Department.
3. Pr. Chief Conservator of Forests, J&K, Srinagar.
4. Managing Director, SFC, J&K, Srinagar.
5. Chief Conservator of Forests, Jammu.
6. CCF/Nodal Officer, FCA, Office of PCCF, J&K, Srinagar.
7. CEO, JAKEDA, J&K.
8. Director Archives, Archeology & Museums, J&K, Srinagar.
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 Commr./Secretary to Government, Forests, Env. & Ecology Department.
12. Pvt. Secy. to Secretary (Technical) Forests, Env. & Ecology Department.
13. Government Order file (w.2.s.c)/Stock file.

Under Secretary to Government
Forest, Ecology & Environment Department

Government of Jammu and Kashmir

Office of the Principal Chief Conservator of Forests, J&K

NO. PCCF/FCA/2237/ 4741-44

Dated 23-10-2019

Copy of above forwarded for necessary action to the.

1. Chief Conservator of Forests, Kashmir.
2. Conservator of Forests, North Circle, Sopore.
3. Divisional Forest Officer, Kehmil Forest Division, Kehmil
4. Executive Engineer, JAKEDA, Science & Technology Department, Tawanai Ghar, SDA Colony, Bemina Srinagar.

(Section Officer)
FCA Section

23/10

23/10