



**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 10.24 Ha. of forest land for construction of road from Schal to Kaban in Kishtwar Forest Division by PMGSY.**

Reference:- (i) Minutes of 108<sup>th</sup> meeting of the Forest Advisory Committee held on 11.06.2018 under the Chairmanship of Chief Secretary J&K (Chairman FAC), issued by the Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2693/3334-51 dated 19.06.2018.

(ii) State Administrative Council Decision No. 6/1/2018 dated 28.06.2018

(iii) State Administrative Council Decision No. 189/19/2019 dated 30.07.2019.

**Government Order No: - 326 -FST of 2019**

**D a t e d :- 09 -10- 2019**

Sanction is hereby, accorded to the use of 10.24 Ha. of forest land for construction of road from Sohal to Kaban in Kishtwar Forest Division by PMGSY with the particulars and subject to the fulfilment of following terms and conditions given hereinafter:-

**Details of the Current Proposal:**

1.	User Agency/Applicant	PMGSY
2.	Location	Comptt. : 12a/P Range : Paddar Block : Gandari Division : Kishtwar Forest Division District : Kishtwar
3.	Objective	To provide road connectivity to village Kaban. The road will benefit 741 population as per 2011 census
4.	<b>Salient Features of the project:</b>	
	I	Total Length of the road 21 Km.
	II	Length of the road on Forest land 16500 Mtrs.
	III	Width of the road 5.5 Mtrs.
	IV	Therefore forest land required for road 9.075 Ha.
	V	Forest Land required for 7 Muck dumping sites in Comptts. No. 12a/P 1.165 Ha.
	VI	Total forest land involved 10.24 Ha.

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all concerned.  
14/10/19*

*PA (A)  
Jammu  
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*2294*

*[Signature]*



	VII	Protection work	The details of protection works such as Edge, Breast and Retaining Walls and Pucca Drain has been provided in DPR as per requirement.		
5.	Number of Trees / Poles/ Saplings involved:				
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
	Deodar ( <i>Cedrus deodara</i> )	272	24	00	296
	Chilgoza ( <i>Pinus gerardiana</i> )	02	00	00	02
	Walnut ( <i>Juglans regia</i> )	02	00	00	02
	Broad Leaved: Heeru( <i>Qurecus spp</i> ), and Bran ( <i>Ulmus wallichiana</i> ) etc.	328	112	00	440
	Total	604	136	00	740
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 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.	



7.	<b>Net Present Value of forest land involved:</b>					
	<b>Comptt. No.</b>	<b>Area involved (Ha.)</b>	<b>Crop Density</b>	<b>Eco-Value Class</b>	<b>Rate/ Ha (Rs. In Lac)</b>	<b>Amount (Rs.)</b>
	12a/P	10.24	Dense	VI	8.97	Rs. 91,85,280/-
8.	<b>Compensatory Afforestation for the double the area i.e. 20.48 Ha. @ Rs.1 lac per Ha.</b>					Rs.20,48,000/-
9.	<b>Compensation of trees/poles/saplings</b>					Rs.1,98,38111/-

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

S.No.	Component	Amount
i.	Net Present Value	Rs. 91,85,280/-
ii.	Compensatory Afforestation	Rs.20,48,000/-
iii.	Compensation of trees	Rs.1,98,38111/-
	<b>Total</b>	<b>Rs. 3,10,71,391/-</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 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, 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.
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 as per the revised standard rate of 2018 issued vide the Government Order No: 10-FST of 2018 dated: 09.01.2018.
  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.
  13. The User Agency shall make efforts to reduce felling of trees by 10%.

**By Order of the Government of Jammu and Kashmir.**

Sd/-

**(Manoj Kumar Dwivedi) IAS**

Commissioner/Secretary to Government  
Forest, Ecology & Environment Department  
Dated:- 09-10-2019

No:-FST/land/64/2018

Copy to the:-

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

**Government of Jammu and Kashmir**

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

NO. PCCF/FCA/2294/

4765-68

Copy of above forwarded for necessary action to the.

1. Chief Conservator of Forests, Jammu.
2. Chief Engineer, PMGSY, Jammu.
3. Conservator of Forests, Chenab Circle, Doda.
4. Divisional Forest Officer, Kishtwar Forest Division, Kishtwar.
5. Executive Engineer, PMGSY Division Kishtwar.

Under Secretary to Government,  
Forest, Environment & Ecology Department  
Dated 13-10-2019

(Section Officer)  
FCA Section

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