



**Government of Jammu and Kashmir
Forest, Ecology & Environment Department,
Civil Secretariat, J&K, Srinagar.**

Subject:- Use of 1.8552 Ha. of forest land for construction of road from LO 35 Km 2nd to Richwa Stage-I in Nowshera Forest Division by PMGSY.

- Reference:**
- Minutes of 115th Forest Advisory Committee (FAC) Meeting held on 18.09.2019 under the Chairmanship of Chief Secretary (Chairman FAC) issued by Chief Conservator of Forests/Nodal Officer vide No. PCCF/FCA/2977/3356-85 dated 25.09.2019.
 - State Administrative Council Decision No. 229/22/2019 dated 22.10.2019 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:- 475 -FST of 2019
Dated:- 25 -10-2019**

Sanction is hereby accorded to the use of 1.8552 Ha. of forest land for construction of road from LO 35 Km 2nd to Richwa Stage-I in Nowshera Forest Division by PMGSY, with the following particulars and subject to the terms and conditions given hereunder:-

Details of the Proposal:

1.	User Agency/Applicant		PMGSY
2.	Location		Comptt. : 102/N Block : Androoth Range : Nowshera Division : Nowshera Forest Division District : Rajouri
3.	Objective		To provide road connectivity to villages Richwa, Nadyala and Androoth . The road will benefit population of 5126 souls as per 2011 census.
4.	Salient Features of the project:		
	I	Total Length of the road	5.00 Km.
	II	Length of the road through Forest land	2389 Mtrs.
	III	Width of road	6.00 Mtr
	IV	Therefore forest land required for road.	1.4334 Ha
	V	Forest land required for five (05) Muck dumping sites	0.375 Ha.

VI	Area involved in passing places (05 No)	0.0468 Ha	
VII	Total forest area involved	1.8552 Ha.	
VIII	Protection work	The details of protection works such as Breast/Retaining/Edge walls 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
	Chir (Pinus Roxigurbii)	44	15	02	61
	Total	44	15	02	61

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 purpose, 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.	Net Present Value of forest land involved:					
	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)

	102/N	1.8552	Dense	V	8.45	Rs.15,67,640/-
8.	Compensatory Afforestation for double the area involved i.e. 3.7104 Ha. @ Rs.1 lakh per Ha.				Rs.3,71,040/-	
9.	Compensation of trees/poles/saplings				Rs. 4,21,907/-	
10.	Road side Avenue Plantation				Rs. 14,33,400/-	

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

S.No.	Component	Amount
i.	Net Present Value	Rs.15,67,640/-
ii.	Compensatory Afforestation	Rs.3,71,040/-
iii.	Compensation of trees/poles/saplings	Rs. 4,21,907/-
iv.	Road side Avenue Plantation	Rs. 14,33,400/-
Total		Rs. 37,93,983/-

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. An amount of **Rs. 37,93,983/-** on account of various heads as detailed in summary table above shall be paid/credited through e-transaction into the account of the Chief Accounts Officer in the office of the Principal Chief Conservator of Forests, J&K under intimation to the Nodal Officer FCA.
13. 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.

By Order of the Government of Jammu & Kashmir.

Sd/-

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

Dated:- 25 -10-2019.

No: FST/Land/41/2019

Copy to the:-

1. Secretary to the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
2. Commissioner/Secretary to Government, PWD(R&B) Department.
3. Managing Director, SFC, J&K, Srinagar.
4. Principal Chief Conservator of Forests, J&K, Srinagar.
5. Chief Conservator of Forests, Jammu.
6. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Srinagar.
7. Director, Archives, Archaeology & Museums J&K, Srinagar.
8. OSD to Hon'ble Advisor(K) for information of Hon'ble Advisor

9. Chief Engineer, PMGSY, Jammu.
10. Private Secretary to the Chief Secretary (Chairman FAC).
11. Private Secretary to Comm./Secretary to Government, Department of Forests, Environment & Ecology
12. P.A to Secretary (Technical) Department of Forest, Environment & Ecology..
13. Government order file.(w.2.s.c)

Under Secretary to Government
Forest, Environment & Ecology Department

Office of the Principal Chief Conservator of Forests, J&K
NO. PCCF/FCA/2584/ 6329-33 Dated 29-11-2019

Copy of above forwarded for necessary action to the.

1. Chief Conservator of Forests, Jammu.
2. Chief Engineer, PMGSY, Jammu.
3. Conservator of Forests, West Circle, Rajouri.
4. Divisional Forest Officer, Nowshera Forest Division, Nowshera.
5. Executive Engineer PMGSY Division Jammu.

(Section Officer)
FCA Section