



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

Subject:- Use of 0.936 Ha of forest land for construction of road from Banjian to Nokan in Billawar Forest Division by PMGSY.

Reference: (i) Minutes of the 106th meeting of the Forestry Advisory Committee held on 20.04.2018 under the Chairmanship of Chief Secretary J&K (Chairman FAC), issued by the Chief Conservator of Forests / Nodal Officer (FCA) vide No. PCCF/FCA/2667/2684-2704 dated 12.05.2018.

(ii) State Administrative Council Decision No.11/2/2018 dated 04.07.2018

(iii) Letter No.PCCF/FCA/2212/5937-40 dated 13.12.2018 received from the Principal Chief Conservator of Forests (HoFF), J&K,

Government Order No:- 81 -FST of 2019
D a t e d :- 07 -03- 2019

Sanction is hereby accorded to the use of 0.936 Ha of forest land for construction of road from Bajian to Nokan in Billawar Forest Division by PMGSY subject to the following particulars:-

1.	User Agency/Applicant	PMGSY			
2.	Location	Comptt. : 16a/Rkt Range : Ramkote Block : Garh Division : Billawar Forest Division District : Udhampur			
3.	Objective	To provide road connectivity to village Nokan. The road will benefit population of 408 people as per census 2011.			
4.	Salient Features of the project:				
I	Total Length of the road	6,900 Km.			
II	Length of the road on Forest land	925 Mtrs.			
III	Width of the road	RD's In KM	Length in Mtr	Width in Mtr	Area in Ha.
		0 to 525	525	6.0	0.315
		525 to 550	25	6.5	0.016
		550 to 700	150	6.0	0.09

		700 to 725	25	8.0	0.02
		725 to 925	200	6.0	0.12
		Total	925		0.561
IV	Therefore forest land required for road project.	0.561 Ha.			
V	Area Proposed for the Muck dumping (3) sites in Comptt. No: 16a/Rkt	0.375 Ha.			
VI	Total forest area involved in the proposed road project	0.936 Ha.			
VII	Protection work	The provision of protection works such as Pucca Side Drains, B/Wall and RCC Culverts are kept in the DPR as per requirement.			

5. **Crop Density of the area** Dense 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, 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.	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.

6. Number of Trees / Poles/ Saplings involved:				
Species	Trees (30-40cm & above)	Poles (20-30cm & 10- 20cm)	Saplings (0- 10cm)	Total
Chir (<i>Pinus roxburghii</i>)	25	01	00	26

	Broad Leaved: Kamila (<i>Mallotus philippinensis</i>), Kringal (<i>Cassia fistula</i>), Kakoa (<i>Flacourtia indica</i>) Sissoo etc.			04	47	105	156
	Total			29	48	105	182
Net Present Value of forest land involved:							
7.	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)	
	16a/Rkt.	0.936	Dense	V	8.45	Rs. 7,90,920/-	
8.	Compensatory Afforestation :			Nil (As the area involved less than 1 Ha)			
9.	Compensation of trees/poles/saplings			Rs. 2,97,681/-			
10.	Cost for realignment of fencing			Rs. 3,87,400/-			

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. 7,90,920/-
ii.	Compensation of trees	Rs.2,97,681/-
iii.	Cost for realignment of fencing	Rs. 3,87,400/-
Total		Rs. 14,76,001/-

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.

(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 as per the revised standard rate of 2018 issued vide the 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 and Kashmir,

Sd/-
(Manoj Kumar Dwivedi) IAS
Commissioner / Secretary to Government
Forest, Environment & Ecology Department.
Dated:- 07-03-2019.

No:-FST/Land/39/2018-I

Copy to the:-

1. Secretary to the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
2. Commissioner/Secretary to Government, PW(R&B) Department, J&K, Jammu.
3. Principal Chief Conservator of Forests, J&K, Jammu.
4. Managing Director State Forest Corporation, J&K, Jammu.
5. CCF, Jammu.
6. CCF/Nodal Officer, PCA, office of the PCCF, J&K, Jammu.
7. Director, Archives, Archaeology & Museums J&K, Jammu.
8. Chief Engineer, PMGSY, Jammu.
9. 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 (w.2.s.c) / stock file.

Under Secretary to Government
Forest, Environment & Ecology Department

Government of Jammu and Kashmir
Office of the Principal Chief Conservator of Forests, J&K

NO. PCCF/FCA/2212/ 1320-24 -

Dated 14-03-2019

Copy of above forwarded for necessary action to the:-

1. Chief Conservator of Forests, Jammu.
2. Chief Engineer, PMGSY, Jammu.
3. Conservator of Forests, East Circle, Jammu.
4. Divisional Forest Officer, Billawar Forest Division, Billawar.
5. Executive Engineer, PMGSY Division, Ramnagar.

(P.K. Raghaw), IFS,
CCF & Nodal Officer (FCA)