



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

**Subject:-** Use of 34.024 Ha. of forest land for widening of Basohli Bani Bhaderwah road from Km. 102 to Km. 128 in Basohli Forest Division by GREF (114 RCC).

- Reference:**
- Minutes of 114th 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.
  - PCCF/FCA/1531/92-95 dated 11.01.2020 received from the office of PCCF, J&K.

**Government Order No:-** 16 -JK(FST) of 2020  
**Dated:-** 30-01-2020

Sanction is hereby accorded to the use of 34.024 Ha. of forest land for widening of Basohli Bani Bhaderwah road from Km. 102 to Km 128 in Basohli Forest Division by GREF (114 RCC) with the following particulars and subject to the terms and conditions given hereunder:-

**Details of the Proposal:**

1.	User Agency/Applicant	GREF (114 RCC)
2.	Location	Comptt. : 54a, 53,52,46,51,50 and 49/Bani Block : Sarthal Range : Bani Division : Basohli Forest Division District : Kathua.
3.	Objective	To widen and improve connectivity between Basohli-Bani-Bhaderwah.
4.	<b>Salient Features of the project:</b>	
	I	Total Length of road to be widened 26.00 Km
	II	Total Length of the road on Forest land 13775 Mtrs.
	III	Width of the road Varies from 18.00 Mtr to 24.00 Mtr.
	IV	Forest land required for road 30.874 Ha.
	V	Forest land required for seven (07) muck dumping sites (In comptt. 54(a), 53,50,46 (two sites), 49 (two sites) 3.15 Ha.

	VI	Therefore total forest area required in the proposed road project	34.024 Ha.												
	VII	Protection work	The provision of protection works such as Retaining/ Breast Walls, Culvert etc has been kept in the DPR as per requirement.												
5.	Crop Density of the area		Varies from Open to Very Dense Forest												
6.	<table><tr><td>a</td><td>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.</td><td>No</td></tr><tr><td>b</td><td>Whether the use of any forest land is for agriculture purposes or for the rehabilitation of displaced persons.</td><td>No</td></tr><tr><td>c</td><td>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,</td><td>Yes</td></tr><tr><td>d</td><td>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.</td><td>The User Agency requisitioning forest land for non-forest purpose has not undertaken to provide an equivalent area at its own cost of acquisition, however the Dy. Commissioner concerned has agreed to provide equivalent land for afforestation. The user agency has agreed to pay the cost of afforestation on this land. Further it has undertaken to pay the NPV as per the Hon'ble Supreme court directions.</td></tr></table>			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 or 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, however the Dy. Commissioner concerned has agreed to provide equivalent land for afforestation. The user agency has agreed to pay the cost of afforestation on this land. Further it has undertaken to pay the NPV as per the Hon'ble Supreme court directions.
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b	Whether the use of any forest land is for agriculture purposes or for the rehabilitation of displaced persons.	No													
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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.	The User Agency requisitioning forest land for non-forest purpose has not undertaken to provide an equivalent area at its own cost of acquisition, however the Dy. Commissioner concerned has agreed to provide equivalent land for afforestation. The user agency has agreed to pay the cost of afforestation on this land. Further it has undertaken to pay the NPV as per the Hon'ble Supreme court directions.													

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7.	Number of Trees / Poles/ Saplings involved:				
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
	Deodar green ( <i>Cedrus deodara</i> )	33	21	00	54
	Fir Green ( <i>Abies Pindrow</i> )	31	04	00	35
	Kail ( <i>Pinus wallichiana</i> )	11	01	00	12
	Broad Leaved: Spruce green ( <i>Picea smithiana</i> ) , Kharshu Oak ( <i>Quercus spp</i> ) Green etc.	348	81	00	429
	Total	423	107	00	530

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.)
	54a/Bani, 53/Bani,46/B ani, 49/Bani	16.654 Ha	Open	VI	6.99	Rs. 1,16,41,146
	52/Bani,46/B ani, 51/Bani, 50/Bani, 49/Bani	12.370 Ha	Dense	VI	8.97	Rs. 1,10,95,890/-
	46/Bani, 49/Bani	5.000 Ha	Very Dense	VI	9.91	Rs. 49,55,000/-
	Total					Rs. 2,76,92,036/-

9.	Compensatory Afforestation:	The Deputy Commissioner, Kathua has issued certificate vide No: DCK/KHS/2014-18/336-38 dated 20-01-2017 that state land measuring 700 Kanals is available in lieu of forest land for Compensatory Afforestation in Tehsil Bani District	Rs. 34,02,400 /-
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	Kathua . Therefore, only one time cost of Compensatory Afforestation cost shall be charged from the User Agency	
10.	<b>Compensation of Tress/Poles/ Saplings as per revised standard rates of 2018 (one time).</b>	Rs. 99,76,395/-

The User Agency as mentioned in letter at Ref. (iii) has submitted the amount in full as per the table summarized below:-

S.No.	Component	Amount
i.	Net Present Value	Rs. 2,76,92,036/-
ii.	Compensatory Afforestation	Rs.34,02,400 /-
iii.	Compensation of trees	Rs. 99,76,395/-
<b>Total</b>		<b>Rs. 4,10,70,831/-</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 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, 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.
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.
11. The forest land shall be handed over to User Agency only after the equivalent land as agreed by User Agency and certificate issued by Dy. Commissioner, Kathua vide No: DCK/KHS/2014-18/336-38 dated 20-01-2017 is taken possession by Forest Department with mutation as well.

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

**Sd/-**

**(Sarita Chauhan) IAS**

Commissioner / Secretary to Government  
Forest, Env. & Ecology Department.

Dated:- 30-01-2020.

No: FST/Land/37/2019

**Copy to the :-**

1. Secretary to Government of India, MoEF & CC, New Delhi.
2. Joint Secretary(J&K), Ministry of Home Affairs, Gol.
3. Pr. Chief Conservator of Forests, J&K, Jammu.
4. Chief Conservator of Forests, Jammu.
5. CCF/Nodal Officer, FCA, Office of PCCF, J&K, Jammu.
6. Director Archives, Archeology & Museums, J&K, Srinagar.
7. Pvt. Secy. to the Chief Secretary (Chairman FAC).
8. Pvt. Secy. to Commissioner./Secretary to Government, Forests, Env. & Ecology Department.
9. Pvt. Secy. to Secretary(Technical) Forests, Env. & Ecology Department.
10. Government Order file (w.2.s.c)/Stock file.

(Ghulam Dastgeer Alam)

Under Secretary to Government  
Forest, Ecology & Environment Department

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

NO. PCCF/FCA/1531/413-17

Dated 07-02-2020

**Copy of above forwarded for necessary action to the.**

1. Chief Conservator of Forests, Jammu.
2. Conservator of Forests, East Circle, Jammu.
3. Conservator of Forests, Working Plan Circle, Jammu.
4. Officer Commanding, 114 RCC (GREF) PIN-930114 C/O 56 APO..
5. Divisional Forest Officer, Basohli Forest Division, Basohli

(Section Officer)  
FCA Section

11/2/20

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