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

Subject:- Diversion of Forest land measuring 18.358 (367 Kanal and 16 marlas) at Comptt 62/B for re-sitement of existing Petroleum Depots from Channi Railway Station to Village Pargalta and Kanna Chhargal, in Social Forestry Division , Jammu by Bharat Petroleum Corporation Limited (BPCL)

- Reference:**
- Minutes of 116th Forest Advisory Committee (FAC) Meeting held on 03.10.2019 under the Chairmanship of Chief Secretary (Chairman FAC) issued by Chief Conservator of Forests/Nodal Officer vide No. PCCF/FCA/2985/4075-4105 dated 09.10.2019.
 - State Administrative Council Decision No. 242/22/2019 dated 22.10.2019 conveyed by the General Administration Department.
 - Letter No.PCCF/FCA/2432/1403-06 dated 11.12.2019 from PCCF, J&K.

Government Order No:-68 -(JK)FST of 2020
Dated:- 11 -06-2020

Sanction is hereby accorded to the diversion of forest land measuring 18.358(367 Kanal and 16 Marlas) at Comptt 62/B for re-sitement of existing Petroleum Depots from Chani Railway Station to Vilage Pargalta and Kanna Chhargal, in Social Forestry Division, Jammu by Bharat Petroleum Corporation Limited(BPCL) with the following particulars and subject to the fulfilment of terms and condtions appearing herein after:-

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Details of the Proposal:

1.	User Agency/Applicant	Bharat Petroleum Corporation Limited (BPCL)	
2.	Location	Comptt. : 62/B Block : Sidhra Range : Jammu Division : Social Forestry Division, Jammu District : Jammu	
3.	Objective	For Re-sitement of existing Petroleum Depots to Village Pargalta and Kanna Chargal for safety reasons.	
4.	Salient Features of the project:		
	I	Forest land required for Project	18.358 Ha
	II	Total Forest area involved	18.358 Ha.

5.	I. Number of Trees / Poles/ Saplings involved: (In Compartment 62/B)				
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
	<i>Chir (Pinus roxburghii)</i>	6	20	26	52
	Khair (<i>Acacia cetechu</i>),	1	45	967	1013
	Broad Leaved: <i>Dilbergia sisoo</i> Jamun (<i>Syzygium Cumini</i>) Kikar (<i>Robinia pseudoaccacia</i>), <i>Bamboo clumps</i>	20	1814	2557	4391
	Total	27	1879	3550	5456
	II. Number of Trees / Poles/ Saplings involved: (In village woodlot Pargalta-I)				
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
	Broad Leaved: <i>Dilbergia sisoo</i> , <i>Pharlie</i> , <i>Bamboo clumps etc</i>	0	16	227	243
	Total	0	16	227	243
	Grand Total	27	1895	3777	5699
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.)
	62/B	18.358	Dense	V	8.45	Rs. 1,55,12,510/-
8.	Compensatory Afforestation for double the forest area involved i.e 36.716 Ha. @ Rs. 1 Lac per ha.					Rs.36,71,600/-
9.	Compensation of trees/poles/saplings					Rs.41,74,661/-
10.	Compensation of Fencing (done in 2015-16)					Rs. 1,27,325/-
11.	Cost of Transplanting of Saplings					Rs. 18,88,500/-

The User Agency has paid the amount in full as mentioned in the letter quoted under reference(iii) above.

S.No.	Component	Amount
i.	Net Present Value	Rs. 1,55,12,510/-
ii	Compensatory Afforestation	Rs.36,71,600/-
iii	Compensation of trees/poles/saplings	Rs.41,74,661/-
iv.	Compensation of Fencing (done in 2015-16)	Rs. 1,27,325/-
v.	Cost of Transplanting of Saplings	Rs. 18,88,500/-
Total		Rs. 2,53,74,596/-

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 borne and 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/-

(Sarita Chauhan) IAS

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

Dated: 11-06-2020

No:- FST/Land/43/2019

Copy to the :-

1. Secretary to Government of India, MOEF&CC, New Delhi.
2. Pr. Chief Conservator of Forest (HOFF), J&K, Jammu.
3. Joint Secretary (J&K), Ministry of Home Affairs, Gol.
4. Managing Director, (JKFC), J&K, Jammu.
5. Chief Conservator of Forests, Jammu.
6. CCF/Nodal Officer, FCA, Office of PCCF, J&K, Jammu
7. Director Archives, Archeology & Museums, J&K, Jammu
8. Special Secretary(Technical) Forests, Ecology & Env. Department.
9. Head Infrastructure(T/F) Northern Region, Bharat Petroleum Corporation Limited, Noida Regional Office.
10. Pvt. Secy. to the Chief Secretary (Chairman FAC).
11. Pvt. Secy. to Commr./Secretary to Government, Forests, Env. & Ecology Department.
12. Government Order file (w.2.s.c)/Stock file.

(Vivek Phonsa) KAS

Deputy Secretary to Government,
Forest Ecology & , Environment Department

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

NO. PCCF/FCA/2432/1767-71

Dated 17-06-2020

Copy of above forwarded for necessary action to the.

1. PCCF/Director, Social Forestry Department, J&K, Jammu.
2. Regional Director, Social Forestry Department, Jammu.
3. Conservator of Forests, Working Plan Circle, Jammu.
4. Head Infrastructure (T/F) Northern Region Bharat Petroleum Corporation Ltd, Noida, Regional Office.
5. Divisional Forest Officer, Social Forestry Division, Jammu.

(Sarvesh Rai), IFS,

Addl. Pr. Chief Conservator of Forests (FCA)

17/6/20