

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

Subject: Proposal to allow use of 9.49 Ha. of forest land for construction of Operational track from Bodnambal to Ustad in Kehmil Forest Division by Army (Assam Regiments).

Reference:

- I. Minutes of 115th Forest Advisory Committee (FAC) Meeting held on 18.09.2019 under the Chairmanship of Chief Secretary (Chairman FAC).
- II. State Administrative Council decision No. 229/22/2019 dated 22.10.2019 conveyed by the General Administration Department.
- III. Government Order No. 31-JK(FST) of 2021 dated 25.03.2021.
- IV. Government Order No. 113-JK(FST) of 2022 dated 02.02.2022
- V. Letters No. PCCF/FCA/2721/79-82 dated 07.04.2022 and PCCF/FCA/2721/3553-54 dated 23.08.2022 from PCCF (HoFF), J&K.

Government Order No:- **121** -JK(FST) of 2022

Dated:- **30** .08.2022

Sanction is hereby accorded to use of 9.49 Ha. of forest land for construction of Operational track from Bodnambal to Ustad in Kehmil Forest Division by Army (Assam Regiments) with the following particulars and subject to the fulfillment of the terms and conditions appearing herein after:-

Details of the Proposal:

1.	User Agency/Applicant	Army (2/Assam Regiments)
2.	Location	Comptt. : 12a/Bud/Rh, 13c/Bud/RH, 20/Bud/RH & 21a/Bud/RH Range : Ramhal Block : Budnambal Division : Kehmil Forest Division District : Kupwara
3.	Objective	For Defence
4.	Salient Features of the project:	
	1	Total Length of 25.00 Km.

		the road			
II	Length of the road through Forest land	15950 Mtrs.			
III	Width	5.95 Mtrs.			
IV	Therefore forest land required for road	9.49 Ha.			
V	Forest land required for Muck dumping	Nil (as per certificate provided by user agency muck/soil disposal in the construction of Operational track shall be strictly use for construction in forest land)			
VII	Total forest area involved	9.49 Ha.			
VIII	Protection work	The Army authorities have undertaken to take all the preventive measures by constructing the protection walls/ crate works to prevent soil erosion.			
5.	Number of Trees / Poles/ Saplings involved:				
	Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
	Kail (Pinus wallichina)	8	0	37	45
	Fir (Abies pindrow)	166	0	219	385
	Broad Leaved:				
	Walnut (Juglans regia)	1	0	0	1
	Total	175	0	256	431
6					
a	Whether the forest land proposed to be used for non-forest purpose forms part of a natural	No			

<p>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.</p>		
<p>b Whether the use of any forest land is for agriculture purposes or for the rehabilitation of displaced persons.</p>	<p>No</p>	
<p>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</p>	<p>Yes</p>	




purpose, and	
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.)
	12a/Bud/Rh, 13c/Bud/RH 20/ Bud/RH & 21a/Bud/RH	9.49 Ha	Very Dense	V	9.39	Rs. 89,11,110/-
8.	Compensatory Afforestation for double the					Rs.

	area involved i.e. 18.98 Ha. @ Rs.1 lakh per Ha.	18,98,000/-
9.	Compensation of trees/poles/saplings	Rs. 38,45,788/-
10.	Roadside Avenue Plantation	Rs. 96,00,000/-

Summary of amount to be deposited under different components:

S.No.	Component	Amount
i.	Net Present Value	Rs. 89,11,110/-
ii.	Compensatory Afforestation	Rs. 18,98,000/-
iii.	Compensation of trees	Rs. 38,45,788/-
iv.	Road side plantation	Rs. 96,00,000/-
	Total	Rs. 2,42,54,898/-

*Note: Cost of extraction and cost of transplantation of saplings, if any, shall be deposited by the user agency directly with J&K FDCL or DFO concerned as per bill raised.

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 J&K Forest Development 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 and shall be borne & 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/-

(Sanjeev Verma) IAS

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

No:- FST-Land/80/2022-02

Dated: 30.08.2022

Copy to the :-

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

(Fayaz Ahmad Qureshi)

Under Secretary to the Government.

Office Address

Nov. to April: Van Bhawan, Below Gumai, Jammu-180001
Phone: 0191-2560585, 2548397, Fax: 0191-2547276
May to October: Forest Complex, Shiekh Bagh, Lal Chowk, Sgr- 190001
Phone: 0194-2484939, 2483937, Fax: 0194-2455027



URL Address: www.jkforest.gov.in
E-mail: pccfjkforest@gmail.com
ccffcajk1@gmail.com

Jammu & Kashmir Forest Department Office of the Pr. Chief Conservator of Forests & HoFF, Government of Jammu & Kashmir



No: PCCF/FCA/2721/4142-45

Dated: 3/09/2022

Copy for information to:-

1. APCCF, Kashmir
2. Conservator of Forests, North Circle Sopore
3. Divisional Forests Officer Kehmil Forest Division
4. Officer commanding (2/Assam Regiment) Pin-910104 C/o 56-APO

(S. Senthil Kumar) IFS
Chief Conservator of Forests
Nodal Officer (FCA)