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**CIRCULAR**

**MOST IMMEDIATE**

**Sub: Allowing use of forest land to User Agencies of the UT of J&K pursuant to clearance under J&K Forest Conservation Act, 1997-regarding.**

Reports are being received regarding development projects of agencies of UT of Jammu and Kashmir like PHE, PDD, PWD and PMGSY sanctioned by the Government under J&K Forest Conservation Act, 1997 not being allowed to be executed by field functionaries of the Forest Department for want of payment of compensatory money by such agencies.

In this connection, it may be noted that the Government has already amended (conveyed vide communication No: FST/Land/34/2019 dated: 21-08-2019) the earlier Cabinet Decision relating to payment by User Agencies of UT of J&K to the effect that in respect of the projects executed by them including under PMGSY, Government sanction order for use of forest land for non-forestry purposes shall be issued after the approval of Forest Advisory Committee (FAC) and Cabinet/SAC without imposing condition of payment by them. Accordingly, all cases of agencies of the UT of J&K cleared by FAC have been sanctioned by the Government without waiting for receipt of compensatory money. Hence, there is no justification for not allowing execution of work by such agencies on grounds of non-receipt of compensatory money by the field functionaries of the Forest Department.

Besides, time taken in execution of marking and subsequent approvals regarding issuance of TS/AA and handing-over trees to State Forest Corporation has been a cause of concern at the highest level in the Government. In this connection, instructions have been issued from time to time for expeditious action at all levels. This office vide communication No: PCCF/PS/2019/1652-82 dated: 18-12-2019 has issued strict time line to be followed by the functionaries of the Forest Department.

In order to expedite, DFOs have also been advised to extract the trees departmentally in case where small number of trees is involved. Since then, the progress of markings and subsequent clearances has been reviewed thrice and it has been time and again impressed upon to complete this task immediately. A complete list of all the projects sanctioned during calendar year 2018 and 2019 has also been circulated to all subordinate offices on 11<sup>th</sup> December-2019 followed by updated status on 7<sup>th</sup> February, 2020. Chief Conservator of Forests, Jammu and Chief Conservator of Forests, Kashmir are once again directed to submit

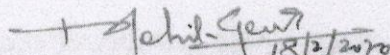




case-wise status of all the cases under process by 22<sup>nd</sup> February, 2020 enabling this office to prepare a comprehensive report for onward submission to higher authorities.

Considering the above, it is enjoined upon the all field functionaries - including all Divisional Forest Officers (T), Conservator of Forests (T) and both Chief Conservator of Forests (T) - to ensure that in cases relating to User Agencies of the UT of J&K, sanctioned by the Government, all formalities including marking and subsequent approvals are completed on war footing (by or before 29<sup>th</sup> February-2020), so that the field work by User Agencies don't get delayed in any manner.

Any Divisional Forest Officer found to be defaulting on the above directions shall be liable to be charge-sheeted.

  
(Dr. Mohit Gera) IFS

Principal Chief Conservator of Forests,  
Jammu and Kashmir.

No: PCCF/FCA/3046/801-45

Dated: 18 / 02 / 2020

Copy to the:

1. Managing Director, State Forest Corporation, J&K, Jammu for information.
2. All Chief Conservator of Forests (T), \_\_\_\_\_.
3. All Conservator of Forests (T), \_\_\_\_\_.
4. All Divisional Forest Officers (T), \_\_\_\_\_.
5. Pvt. Secretary to worthy Chief Secretary, J&K for kind information of Chief Secretary.
6. Pvt. Secretary to Commissioner Secretary to Government Forest, Environment and Ecology Department for kind information of Commissioner/Secretary.
7. Pvt. Secretary to PCCF, J&K for kind information of PCCF.