

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

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| 1. Principal Secretary, Finance Department, J&K | Member |
| 2. Financial Commissioner, Revenue J&K | Member |
| 3. Principal Secretary, Planning & Development Department, J&K | Member |
| 4. Commissioner/ Secretary Forest Department, J&K | Member |
| 5. Principal Chief Conservator of Forests, J&K. | Member |
| 6. PCCF/ Director, Soil and Water Conservation Department, J&K | Member |
| 7. PCCF/Director, Environment Ecology & Remote Sensing, J&K | Member |
| 8. Addl. PCCF, Chief Wildlife Warden J&K | Member (Non-Official) |
| 9. Dr. S. P. Singh Dutta (Environmentalist) | Member (Non-Official) |
| 10. Dr. G. A. Bhat (Environmentalist) | |

No: PCCF/FCA/2851/ 491-510

Dated: 23 01/2019

Sub: 112th meeting of the Forest Advisory Committee, the J&K Forest (Conservation) Act, 1997.

Sir,

Kindly find enclosed herewith Minutes of the 112th meeting of the Forest Advisory Committee held on 21-01-2019 under the Chairmanship of the Chief Secretary, J&K Government.

Yours faith fully,

(P.K. Raghaw), FCS

Chief Conservator of Forests (FCA)

Member Secretary

Forest Advisory Committee

Copy alongwith minutes for information and necessary action to the:

1. Commissioner/ Secretary to Govt. Higher Education Department, Civil Secretariat J&K Jammu.
2. Commissioner/ Secretary to Govt. PW (R&B) Department, Civil Secretariat J&K Jammu.
3. Commissioner/ Secretary to Govt. Tourism Department, Civil Secretariat J&K Jammu.
4. Chief Conservator of Forests, Jammu.
5. Secretary Technical (Forest) J&K, Civil Secretariat, Jammu.
6. Conservator of Forests, West Circle, Rajouri
7. Chief Engineer, PWD (R&B), Jammu.
8. Director Colleges, Higher Education Department J&K, Jammu.
9. Chief Executive Officer, Patnitop Development Authority.
10. PPS to the Chief Secretary, J&K Government for information of the Worthy Chief Secretary J&K Government.

MINUTES OF THE 112th MEETING OF THE FOREST ADVISORY COMMITTEE HELD UNDER THE CHAIRMANSHIP OF SH. B. V. R. SUBRAHMANYAM, IAS, CHIEF SECRETARY, JAMMU AND KASHMIR, AT CIVIL SECRETARIAT, JAMMU ON 21.01.2019.

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1. The 112th meeting of the Forest Advisory Committee (FAC) constituted under the Jammu and Kashmir Forest (Conservation) Act, 1997, was held under the chairmanship of Sh. B. V. R. Subrahmanyam, IAS, Chief Secretary, Jammu and Kashmir, at Civil Secretariat, Jammu on 21st January 2019.

2. Following Members of the Committee and Special Invitees attended the meeting:

(I) Members

1. Sh. Navin Kumar Choudhary, IAS Principal Secretary to Govt., Finance Department, J&K
2. Dr. Pawan Kotwal, IAS Financial Commissioner (Revenue), J&K
3. Sh. Rohit Kansal, IAS Principal Secretary to Govt., Planning Dev. & Monitoring Deptt., J&K
4. Sh. Manoj Kumar Dwivedi, IAS Commissioner/ Secretary to Govt., Forest, Ecology, Environment Department, J&K
5. Sh. Suresh Chugh, IFS Principal Chief Conservator of Forests, J&K
6. Sh. P. K. Singh, IFS Pr. CCF/ Director, Soil & Water Conservation, J&K
7. Sh. Sidhartha Kumar, IFS Pr. CCF/Director, Environment & Remote Sensing, J&K
8. Sh. S. K. Gupta, IFS Addl. PCCF/ Chief Wildlife Warden, J&K
9. Dr. S. P. Singh, Dutta Member (Non-Official)
10. Sh. P.K. Raghaw , IFS Chief Conservator of Forests (FCA)
Member Secretary, Forest Advisory Committee

(II) Special Invitees

1. Ms Sarita Chauhan, IAS Commissioner/ Secretary to Govt. Higher Education Department, J&K
2. Sh. Khurshid Ahmad Shah, IAS Commissioner/Secretary to Govt. PWD (R&B) Department, J&K

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| 3. Sh. Rigzin Samphel, IAS | Commissioner/Secretary to Govt. Tourism Department J&K |
| 4. Sh. Sameer Bharati, IFS | Chief Conservator of Forests, Jammu |
| 5. Sh. K. Ramesh Kr, IFS | Special Secretary Forest (Technical) |
| 6. Dr. Jitendra KumarSingh, IFS | Conservator of Forests, West Circle Rajouri |
| 7. Sh. Sudhir Kr. Shah | Chief Engineer, PW(R&B) Jammu |

3. The Forest Advisory Committee (FAC) considered the following proposals relating to use of forest land for non-forest proposes under the Jammu and Kashmir Forest Conservation Act as were presented by Sh. P. K. Raghaw, IFS, Member Secretary, Forest Advisory Committee:

Agenda No	Proposal	Observations/Decision
112.01	Proposal to allow use of 4.5005 Ha. of forest land for construction of Government Degree College, Sunderbani in Nowshera Forest Division by J&K Higher Education Department.	The proposal was approved on the terms and conditions laid down in the agenda keeping in view the importance of the project from public stand point but with the express condition that this shall not form a precedence or a norm for use of forest land for construction of educational institutions, colleges, office buildings, residential colonies etc in future.
112.02	Proposal to allow use of 0.175 Ha. of forest land for construction of Convention Centre at Patnitop in Udhampur Forest Division by Patnitop Development Authority.	The Committee was informed that the Division Bench of the Hon'ble High Court vide its order dated 27.12.2018 passed in PIL No.4/2017 titled 'Sumit Nayar Vs Union of India and Ors' has observed/directed as under: <p style="margin-left: 40px;">"Pursuant to our last order dated 24th December, 2018, Mr. B. Mohandass, Conservator of Forests, Jammu is present. He informs us that a proposal to develop a Convention Centre at Patnitop stands interdicted on account of availability of an alternative land. In this regard, a reference is made to a communication dated 12th July,</p>

2018 addressed by the Divisional Forest Officer, Jammu to the Chief Executive Officer, Patnitop, who is In-charge of the project.

We are informed that the funds stand allocated by the Central Government, however, this small matter is hanging fire.

A report filed on 20th December, 2018, under the signature of Mr. Rigzin Sampheal, Secretary to Government, Tourism Department states that the work at Patnitop stands suspended w.e.f 25th August, 2017. It appears that yet again the work is stalled because an interdepartmental meeting to resolve the issue has not been held. We would request the Chief Secretary, Government of J&K to examine this matter and ensure that a decision is taken at the earliest. A status report shall be placed before us on or before the next date of hearing List on 01.02.2019”.

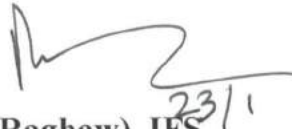
The Committee was also informed about the record proceedings pertaining to the I.A No. 401 in case No.202/1995 titled *Godvarman Vs. Union of India*, which is pending before the Hon'ble Supreme Court. The proceedings in I.A No. 401 are reproduced here under:

“ This I.A pertains to Patnitop. It is stated by Advocate General, State of Jammu and Kashmir that no further construction or conversion will be permitted at Patnitop till after the ecological balance has been restored. For restoring the ecological balance, steps are being taken to control pollution and in this regard the State Government has approached the U.P. Jal Nigam and other authorities. The statement of the Advocate General is recorded and a Status Report be filed within a period

		<p><i>of four months.”</i> <i>Listed again before Hon’ble Supreme Court on 28.01.2019.</i></p> <p>Chief Secretary (Chairman FAC) after hearing the views of all the participants directed that consideration on the proposal be deferred. The Tourism Department will immediately file an application before the Hon’ble Supreme Court seeking permission to construct Convention Centre at Patnitop.</p> <p>Based on the above, the Tourism Department will submit a status report in the Hon’ble High Court before the next date of hearing.</p>
112.03	<p>Proposal for diversion of 1.98 Ha. of forest/Wildlife land (Wetland area) for construction of 1640 M Span Bridge over River Chenab coming under the alignment 3.6 km approach road at Sajwal (Pargwal Indrapattian) at Jourian in Wildlife Forest Division, Jammu by PWD (R&B).</p>	<p>The Committee was informed that the area under consideration is a conservation reserve declared as Pargwal Wet Land Reserve. The project has been approved by the Standing Committee of State Board for Wildlife in its meeting held on 08.01.2019.</p> <p>The Committee was also informed that in the past, the Standing Committee of National Board of Wildlife, while considering the proposal viz. <i>Construction of road from Sansoo to Chopra Shop, Vikram Bridge in Sansoo Rakh Conservation Reserve</i> returned the same on 19-04-2018 with the observation that <i>proposal has got no merits to be considered under the provisions of the Wildlife (Protection) Act, 1972.</i></p>

		<p>In view of the approval of the Standing Committee of State Board of Wildlife referred above, the FAC approved the proposal on the terms and conditions laid down in the agenda including those prescribed by the Chief Wildlife Warden, J&K.</p>
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4. The meeting ended with a vote of thanks to the Chair.

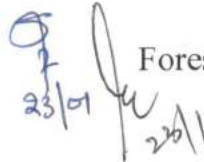


(P. K. Raghaw), IFS ^{23/11}

Chief Conservator of Forests (FCA)

Member Secretary,

Forest Advisory Committee



23/11