

Government of Jammu and Kashmir
Office of the Principal Chief Conservator of Forests, (HoFF) J&K Srinagar

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

No: PCCF/FCA/2420/2813-29

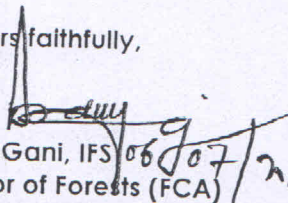
Dated: 6/07/2017

Sub: The 99th meeting of the Forest Advisory Committee, the J&K Forest (Conservation) Act.

Sir,

Kindly find enclosed herewith Minutes of the 99th meeting of the Forest Advisory Committee held on 30.06.2017 under the Chairmanship of the Chief Secretary, J&K Government.

Yours faithfully,


Ab. Gani, IFS
Chief Conservator of Forests (FCA)
(Member Secretary)
Forest Advisory Committee

Copy alongwith minutes for information and necessary action to the:

1. Commissioner/ Secretary to Government, PWD (R&B) Department J&K.
2. Chief Conservator of Forests, (Kashmir), for follow-up action of the instruction given in the minutes.
3. Chief Conservator of Forests, (Jammu).
4. Chief Engineer, Northern Railway Jammu.
5. Chief Engineer, PMGSY (Jammu).
6. Project Director NHAI Chennai Himmat, Jammu.
7. PPS to the Chief Secretary, J&K Government for information of the Chief Secretary J&K Government.

MINUTES OF THE 99th MEETING OF THE FOREST ADVISORY COMMITTEE HELD UNDER THE CHAIRMANSHIP OF SH. B.B. VYAS IAS, CHIEF SECRETARY, J&K, AT CIVIL SECRETARIAT, SRINAGAR ON 30.06.2017.

1. The 99th meeting of the Forest Advisory Committee (FAC) constituted under the J&K Forest (Conservation) Act, 1997, was held under the chairmanship of Sh. B. B. Vyas IAS, Chief Secretary, J&K, at Civil Secretariat, Srinagar on 30th June 2017.

2. The following Members of the Committee and special invitees attended the meeting:

(I) Members (FAC)

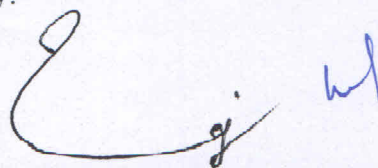
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|--------------------------------|---|
| 1. Sh. Lokesh Dutt Jha, IAS | Financial Commissioner (Revenue), J&K |
| 2. Sh. Muhammad Afzal, IAS | Commissioner/ Secretary (Forests), J&K |
| 3. Sh. A. K. Singh, IFS | Pr. Chief Conservator of Forests, J&K (HoFF) |
| 4. Sh. O.P Sharma, IFS | Addl. PCCF/Director, Environment and Remote Sensing Department, J&K |
| 5. Sh. Roshan Jaggi IFS | Addl. PCCF/ CCF Eco-Tourism Rep. Chief Wildlife Warden, J&K |
| 6. Sh. Javed Iqbal Punjoo, IFS | CCF/Director, Soil and Water Conservation Department, J&K |
| 7. Sh. J.A.Wani | Director Budget Rep. of Commissioner/Secretary Finance Department, J&K |
| 8. Sh. G.S. Chib | Secretary Planning Rep. of Financial Commissioner Planning & Dev. Department, J&K |
| 9. Dr. G. A. Bhat | Member (Non-official) |
| 10. Sh. Ab. Gani, IFS | Chief Conservator of Forests (FCA)/ Member Secretary (FAC) |

(II) Special Invitees

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| 1. Sh. Syed Farooq Gilliani, IFS | Chief Conservator of Forests, Jammu |
| 2. Sh. S.P. Manhas | Chief Engineer (PMGSY) Jammu |
| 3. Sh Mohit Kumar | Dy. Chief Engineer, Northern Railway, Jammu |

3. At the outset, Chief Secretary (Chairman, FAC) acknowledged the contribution of Shri A.K. Singh, IFS, PCCF (HOFF) (due to retire on superannuation on 30.06.2017), in facilitating a well informed and prompt decision in the cases brought before the FAC particularly the cases related to land diversion.

4. Thereafter, the following proposals presented by Sh. Ab. Gani, IFS, Member Secretary, FAC were discussed and decisions taken accordingly:-



Agenda	Proposal	Decision
99.01	Proposal to allow use of 9.90889 Ha. of forest land for construction of Railway Tunnel T-49B and Portals for T-49b, T-50 and Bridge No. 4 coming in the track of Railway Line by Northern Railway in Ramban Forest Division.	Proposal was approved on the terms and conditions laid down in the agenda.
99.02	Proposal to allow use of 36.129 Ha. of forest land for forest clearance of over Tunnel T-13 for construction of (Main Tunnel, Escape Tunnel and Adit) between Km. 61/001 to 70/369 on Dugga-Bashindhadhar section of USBRL by Northern Railway in Mahore Forest Division	Proposal was approved on the terms and conditions laid down in the agenda.
99.03	Proposal to allow use of 60.058 Ha. of forest land for construction of Underground Tunnel for Railway Track in Km 60.00 to 90.00 Dugga-Bashindhadhar section of USBRL Project alongwith dumping sites by Northern Railway in Mahore Forest Division	Proposal was approved on the terms and conditions laid down in the agenda.
99.04	Proposal to allow use of 1.9624 Ha. of forest land for construction of road from LO40- to TO1 km 70 th to Udharni in Rajouri Forest Division by PMGSY.	Proposal was approved on the terms and conditions laid down in the agenda.
99.05	Proposal to allow use of 1.7484 Ha. of forest land for construction of road from LO27- to Km 13 th to Thus in Rajouri Forest Division by PMGSY.	Proposal was approved on the terms and conditions laid down in the agenda.
99.06	Proposal to allow use of 2.57 Ha. of forest land for construction of road from LO43- to LO41 km 1 st to Jatta Brahman in Rajouri Forest Division by PMGSY.	Proposal was approved on the terms and conditions laid down in the agenda.
99.07	Proposal to allow use of 2.264 Ha. for forest land for construction of road from LO44-to LO 35 Km 1 st to Narota in Rajouri Forest Division by PMGSY	Proposal was approved on the terms and conditions laid down in the agenda.
99.08	Proposal to allow use of 2.415 Ha. of forest land for construction of road from Jandrota to Khurana in Basohli Forest Division by PMGSY.	Proposal was approved on the terms and conditions laid down in the agenda.
99.09	Proposal to allow use of 2.535 Ha. of forest land for construction of road from Kholiyan Talai to Kathan in Basohli Forest Department by PMGSY.	Proposal was approved on the terms and conditions laid down in the agenda.

E. J. [Signature]

99.10	Proposal to allow use of 1.50 Ha. of forest land for construction of road from Kholiyan Talai to Jagna in Basohli Forest Division by PMGSY.	Proposal was approved on the terms and conditions laid down in the agenda.
99.11	Proposal to allow use of 1.38 Ha. of forest land for construction of road from Towara to Dodla in Basohli Forest Division by PMGSY.	The department was advised to revisit the proposal and propose an alternate alignment instead of long circuitous loop. The revised proposal along with justification may be placed in the next FAC meeting.
99.12	Proposal to allow use of 0.54 Ha. of forest land for construction of road from Rehalta to Trimbli in Basohli Forest Division by PMGSY.	Proposal was approved on the terms and conditions laid down in the agenda.
99.13	Proposal to allow use of 1.71 Ha. of forest land for construction of road from Suchara to Plara in Basohli Forest Division by PMGSY.	Proposal was approved on the terms and conditions laid down in the agenda.
99.14	Proposal to allow use of 0.3 Ha. of additional forest land for widening of carriageway in Four laning of Udhampur-Ramban project of NHIA (now NH-44) from Km 67.00 to Km 89.00 and Km 130.00 to Km 151.00 on EPC Mode by NHAI in Udhampur Forest Division.	Proposal was approved on the terms and conditions laid down in the agenda.

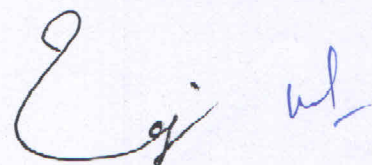
5. While clearing the above proposals (except 99.11), the Committee stressed upon adherence to the instructions issued in the 97th FAC Meeting which have been reiterated in the 98th Meeting as also in today's meeting, in letter and spirit.

6. In respect of the Forest Land Diversion Proposals of Basholi Forest Division cleared by the Committee, it was observed that the user agency (PMGSY) has not provided the exact location/details of the muck dumping sites. It was accordingly agreed that before implementation of the decisions taken, the user agency will provide all the relevant details viz revenue record, consent from the owner/revenue authorities as may be applicable along with geo-coordinates to the Forest Department. CCF Jammu will satisfy with regard to the dumping sites and ensure that mulba generated from these roads is dumped in the identified sites only.

7. The Committee agreed with the suggestion of one of the non-officials members in regard to undertaking verification of the status of land held by the inhabitants for which road connectivity is to be provided under PMGSY, before the submission of such proposals to FAC.

8. In addition, the Committee issued the following additional directions for observance by all concerned:-

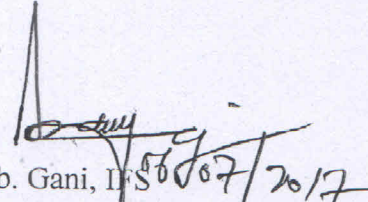
- (i) The instructions issued in the 97th and 98th FAC Meetings were reiterated.



- (ii) The Forest Department will place before the Committee the year wise details relating to NPV, CA received in Forest land diversion cases and its utilization till date.
- (iii) PMGSY while formulating the proposals/placing the indent should consult the concerned officer of the Forest Department (CCF) to look into the alternatives or in the event no land is available, work out the requirement of forest Land on bare minimum basis. Further, the DPR/ the project proposal under the Scheme should clearly mention the consent of the Forest Department to diversion of land.

9. The Committee also deliberated on the issue of payment of cost in lieu of the forest land by the user agency. As per the details furnished by the Member Secretary and in terms of the existing provisions, the user agency would be required to provide equivalent amount of alternate land in lieu of the forest land diverted for non-forest use, for compensatory afforestation. In case, the user agency is not in a position to provide the alternate land, it would be required to pay the cost on account of compensatory afforestation twice the forest land area diverted and not the cost of the land, for the same would amount to sale of land/transfer of proprietary rights. For clarity, it was decided to seek advice of the Department of Law, Justice & Parliamentary Affairs in this regard, in light of the relevant Acts and the Hon'ble Supreme Court judgment on the subject.

Meeting ended with a vote of thanks to the Chair.


Ab. Gani, IFS 06/07/2017
Chief Conservator of Forests (FCA)
(Member Secretary)
Forest Advisory Committee
