

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

Subject: Proposal to allow use of 5.80 Ha. of forest land for construction of Operational track from T- Suntbala (Vill T-Santwari Matchil Balla) to Tower 1st (Km 5.00 to Km 16.00) in Kamraj Forest Division by Army

Reference:

- I. Minutes of 111th Forest Advisory Committee (FAC) Meeting held on 18.09.2019 under the Chairmanship of Chief Secretary (Chairman FAC).
- II. State Administrative Council Decision No. 25/03/2019 dated 25.01.2019 conveyed by the General Administration Department.
- III. Government Order No. 113-JK(FST) of 2022 dated 02.08.2022 read with addendum to same issued on 10.08.2022.
- IV. Letter No. PCCF/FCA/2706/6249-53 dated 31.12.2022 from Principal Chief Conservator of Forests (HoFF), J&K

Government Order No:- 27 -JK(FST) of 2023
Dated:- 02 .02.2023

Sanction is hereby accorded to allow use of 5.80 Ha. of forest land for construction of Operational track from T- Suntbala (Vill T-Santwari Matchil Balla) to Tower 1st (Km 5.00 to Km 16.00) in Kamraj Forest Division by Army with the following particulars and subject to the fulfillment of the terms and conditions appearing herein after:-

(A) Details of the Proposal:

1.	User Agency/Applicant	Army [17 JAKLI]
2.	Location	Comptt. : 72/Mtl Range : Matchil Block : Matchil-II Division : Kamraj Forest Division District : Kupwara
3.	Objective	For Defence
4.	Salient Features of the project:	
	I	Total Length of the road 13.00 Km.
	II	Length of the road through Forest land 12000 Mtrs.
	III	Width 4.00Mtrs.
	IV	Therefore forest land required for road 4.80 Ha.
	V	Forest land required for 02 Muck dumping sites in Comptt 72/Mtl 100m x 50m x 2 1.00 Ha.
	VII	Total forest area involved 5.80 Ha.
	VIII	Protection work The Protection work such as Retaining Walls have been provided in the DPR as per requirement

5. Number of Trees / Poles/ Saplings involved:						
	Species	Trees (30-40cm above)	&	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
	Kail (Pinus wallichina)	3		1	24	28
	Fir(Abies pindrow)	2		0	0	2
	Broad Leaved: Quercus (Quercus spp)	1		0	0	1
	Total	6		1	24	31
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.	
Net Present Value of forest land involved:						
7.	Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
	72/Mtl	5.80 Ha	Very Dense	VI	9.91	Rs.57,47,800

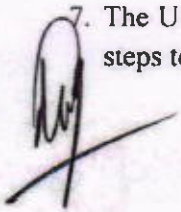
8.	Compensatory Afforestation for double the area involved i.e. 11.6 Ha. @ Rs.1 lakh per Ha.	Rs. 11,60,000/-
9.	Compensation of trees/poles/saplings	Rs.1,01,718/-
10.	Cost of Transplantation of saplings	Rs. 3,250 /-
11.	Road side plantation	Rs. 34,80,000/-

(B) Summary of amount to be deposited under different components:

S.No.	Component	Amount
i.	Net Present Value	Rs.57,47,800/-
ii.	Compensatory Afforestation	Rs.11,60,000/-
iii.	Compensation of trees	Rs.1,01,718/-
iv.	Cost of Transplantation of saplings	Rs. 3,250 /-
v	Road side plantation	Rs. 34,80,000/-
Total		Rs. 1,04,92,768/-

(C) 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, 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 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.**

Dated: 02.01.2023

No:- FST-Land/28/2022-02

Copy to the :-

1. Secretary to Government of India, MoEF&CC, New Delhi.
2. Joint Secretary, J&K, Ministry of Home Affairs, GoI, New Delhi.
3. Pr. Chief Conservator of Forests (HoFF), J&K, Srinagar.
4. APCCF/Chief Conservator of Forests, Jammu.
5. CCF/Nodal Officer, FCA, Office of PCCF, J&K.
6. Secretary to the Government, General Administration Department.
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.