

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

Subject: Proposal to allow use of 6.00 Ha. of forest land for construction of Operational Track (Road) from Maidan Behak to Ringsar (Km 17.00 to Km 27.00) by Army (45 RR JAT) in Kamraj Forest Division.

- Reference:**
- I. Minutes of 106th Forest Advisory Committee (FAC) Meeting held on 20.04.2018 under the Chairmanship of Chief Secretary (Chairman FAC).
 - II. State Administrative Council Decision No. 11/2/2018 dated 04.07.2018 conveyed by the General Administration Department.
 - III. Government Order No. 10-JK(FST) of 2022 dated 02.02.2022.
 - IV. Letter No. PCCF/FCA/2502/83-86 dated 07.04.2022 from Principal Chief Conservator of Forests (HoFF), J&K.

**Government Order No:- 53 -JK(FST) of 2022
Dated:- 18 .04.2022**

Sanction is hereby accorded to allow use of 6.00 Ha. of forest land for construction of Operational Track (Road) from Maidan Behak to Ringsar (Km 17.00 to Km 27.00) by Army (45 RR JAT) in Kamraj Forest Division with the following particulars and subject to the fulfillment of the terms and conditions appearing herein after:-

A. Details of the Current Proposal:

1.	User Agency/Applicant	Army (45 RR JAT)
2.	Location	Comptt. : 13/Mtl Block : Matchil 2 nd Range : Matchil Division : Kamraj Forest Division District : Kupwara.
3.	Objective	Defense purpose.
4.	Salient Features of the project:	
	I	Total Length of the road 10.00 Km.
	II	Length of the road through Forest land 10000 Mtrs.
	III	Width of the road 4.00 Mtrs.
	IV	Therefore forest land required for road 4.00 Ha.
	V	Forest land required for five (05) muck dumping sites 2.00 Ha.
	VI	Therefore total forest area required in the proposed road project 6.00 Ha.
	VII	Protection work The provision of protection works such as Retaining/ Breast Walls has been kept in the DPR as per requirement.
5.	Crop Density of the area	Open Forest
6.	a	Whether the forest land proposed to be used for No

	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.	
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 purposes, 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.

7. Number of Trees / Poles/ Saplings involved:

Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total
Kail (<i>Pinus wallichiana</i>)	02	00	00	02
Broad Leaved: (<i>Acer pictum</i>) etc.	28	02	04	34
Total	30	02	02	36

8. Net Present Value of forest land involved:

Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
31/Mtl	6.00	Open	V	6.99	Rs. 41,94,000/-

9. Compensatory Afforestation for double the forest area involved i.e 12.00 Ha. @ Rs. 1 Lac per ha. Rs.12,00,000/-

10. Compensation of Tress/Poles/ Saplings as per revised standard rates of 2018 (one time) Rs.8,48,031/-

11. Road Side Avenue plantation @ 6 Lac per Ha. Rs. 24,00,000/-

B) Summary of amount to be deposited under different components as conveyed by PCCF vide reference mentioned at (IV):

S.No.	Component	Amount
i.	Net Present Value	Rs. 41,94,000/-
ii.	Compensatory Afforestation	Rs. 12,00,000/-
iii.	Compensation of trees	Rs. 8,48,031/-
iv.	Road side Avenue Plantation	Rs. 24,00,000/-
Total		Rs. 86,42,031/-

(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 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.
11. The Wildlife/Forest Department with active cooperation/assistance of Army authorities shall take all required measures for the protection of rich fauna particularly rare and endangered species in the area.

By order of the Government of Jammu and Kashmir.

Sd/-

(Sanjeev Verma) IAS

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


Dated: 18 .04.2022

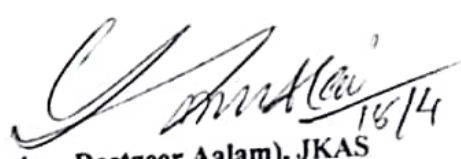
No:- FST-Land/42/2022-02



Copy to the :-

1. Secretary to Government of India, MoEF&CC, New Delhi.
2. Principal Secretary to the Government, General Administration Department.
3. Joint Secretary, J&K, Ministry of Home Affairs, Gol, 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.


18/4/22


(Ghulam Dastgeer Alam), JKAS
Deputy Secretary to the Government.