

I/4379/2021



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE
एकीकृत क्षेत्रीय कार्यालय, जम्मू / Integrated Regional Office,
Jammu



File No. 9-JKC004/2021-JAMMU

Dated: 10.05.2021

To

Commissioner Secretary,
Dept of Forest, Ecology & Environment,
U.T. of Jammu & Kashmir,
Civil Secretariat,
Jammu & Kashmir (www.csforestjk@gmail.com)

Sub: **Diversion of 5.029 ha of forest land for non-forestry purpose for construction of road from Khourgali to Radnote under Forest Division and District Udhampur Forest Division, U.T of J&K (Online proposal no. FP/JK/Road/47888/2020)-regarding.**

Ref: i) Original proposal received on dated 24.02.2021
ii) Nodal Officer, J&K online reply received on 12.04.2021
iii) Minutes of 39th REC meeting held on 30.04.2021.

Sir,

Please refer to the above cited subject and letters seeking prior approval of the Central Government for diversion of forest land for non-forestry purpose in accordance with section 2 of the Forest (Conservation) Act, 1980.

2. After careful examination of the proposal of the State Government and recommendation of the REC, *in-principle* approval is hereby conveyed for diversion 5.029 hectares of forest land for the above mentioned project, subject to the following conditions:

(A) Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

- i) Cost of compensatory afforestation and Addl. Compensatory afforestation as per CA scheme may be realized from the user agency. One dumping site (0.27 ha), which falls in the proposed CA site be included in CA plantation
- ii) Net Present Value (NPV) of the forest land being diverted for non-forestry purpose may be realized from the user agency, as per Ministry's directions issued vide letters No. 5-3/2007-FC dated 5th February 2009 and Hon'ble Supreme Court of India's Order dated 30th October 2002, 28th March, 2008, 24th April, 2008 and 9th May 2008;
- iii) As per the orders of the Government of India vide letter No. 5-2/2010-CAMPA 24.06.2011, the Net Present Value (NPV) of the forest land and all other CA levies shall be deposited through web portal of Ministry of Environment, Forest and Climate Change www.parivesh.nic.in.

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- iv) User agency should ensure that the compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate bank only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
- v) **The Divisional Forest Officer shall furnish undertaking that the approved CA site(s) will not be changed without the approval of competent authority.**
- vi) **The CEO State CAMPA shall furnish undertaking that the funds under State CAMPA will be released to Divisional Forest Officer as per approved CA scheme.**
- vii) Copy of FRA certificate to be provided.

(B) Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

- i) Legal status of the forest land will remain unchanged;
- ii) Efforts should be made to fell minimum number of trees and in any case, not more than 649 trees and 50 plants.
- iii) The trees should be felled under strict supervision of the State Forest Department;
- iv) The acquired dumping sites should be prepared appropriately before start of dumping to prevent downhill slide of muck;
- v) Angle of repose of muck should be maintained between 30° to 45°;
- vi) Long slopes should be intercepted to several short ones with help of berms/terraces/benches;
- vii) Dumping sites which have attained full capacity should be rehabilitated with local grass, trees and shrubs;
- viii) The CEO, State CAMPA Authority shall ensure release of funds under CAMPA to the DFO for raising CA plantation as per CA scheme approved by this office;
- ix) The DFO shall ensure taking up CA plantations at approved CA sites and shall not after the approved sites without obtaining the permission of the competent authority;
- x) The CA will be carried out 10.058 ha on degraded forest land as per the CA scheme and the funds will be provided by the user agency. 8000 seedlings will be planted in the proposed site and remaining 2058 plants will be planted on the boundary of the CA site with proper fencing. The plantation will be done within one year from the date of issue of the approval;
- xi) The forest land will not be used for any other purpose than that mentioned in the proposal;
- xii) The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department, or person without approval of the Central Government;
- xiii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xiv) No damage will be done to the adjoining forest land;
- xv) No labour camp shall be established on the forest land;
- xvi) The user agency shall pay additional amount of NPV as and when increased on the order of Hon'ble Supreme Court;

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- xvii) The User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xviii) Any other condition that this Regional Office may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xix) It will be the responsibility of the State Government/User Agency to obtain all other prior approvals/clearances under all other relevant Acts/Rules/ Court's Rulings/instructions, etc., including environmental clearance, as applicable to this proposal proposal

3. After receipt of the compliance report on fulfillment of the conditions under para-2, above, final approval order shall be given under Section-2 of the Forest (Conservation) Act, 1980. The use of forestland will not be allowed till final approval is accorded.

भवदीय,

Sd/-

(के जेड भुटिया)

क्षेत्रीय अधिकारी

IRO, MoEF&CC, Chandigarh

Copy to:-

1. The ADGF (FC), Ministry of Environment, Forests, Indira Paryavaran Bhawan, Jor Bagh, Aliganj, New Delhi. (adgfc-mef@nic.in)
2. The Pr. Chief Conservator of Forests (HoFF), U.T. of Jammu & Kashmir, Forest Complex, Sheikh Bagh, Near Lal Chowk, Srinagar, J&K (www.pccfjkforest@gmail.com).
3. The Nodal Officer (FCA), U.T. of Jammu & Kashmir, Forest Complex, Sheikh Bagh, Near Lal Chowk, Srinagar, J&K (www.sarveshraiifs@gmail.com).
4. CEO, CAMPA O/o PCCF (HoFF), U.T. of Jammu & Kashmir, Forest Complex, Sheikh Bagh, Near Lal Chowk, Srinagar, J&K (www.jkcampacell@gmail.com).
5. The Divisional Forest Officer, Forest Division Sindh and District Ganderbal, Jammu & Kashmir.2. : PMGSY DIVISION REASI, GEETA NAGAR NEXT TO PETROL PUMP REASI, Jammu and Kashmir (xenpmgsyreasi@gmail.com)

Signature Not Verified

Digitally signed by KARMA
ZIMPA BHUTIA

Date: 2021.05.10 16:04:14 IST

बेज नं. 24-25, सेक्टर-31 ए, चंडीगढ़-160030 / Bays No. 24-25, Sector-31 A, Chandigarh-160030
दूरभाष/Tel No : 0172-2638061 Fax No : 0172-2638135 Email : ronzh.chd-mef@nic.in