



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE
CHANGE



उत्तर क्षेत्रीय कार्यालय, चंडीगढ़ / Northern Regional
Office, Chandigarh

File No: 9-JKB501/2020-CHA

Dated: 13/08/2020

To

Addl. Chief Secretary (Forests),
U.T. of Jammu & Kashmir,
Civil Secretariat
Jammu & Kashmir
(www.csforestjk@gmail.com)

Sub: Diversion of 1.2 ha of forest land in favour of National Highways & Infrastructure Development Corporation Ltd., PIU, Khellani for construction of Bi-directional tunnel at Km. 83 of length 495 meter including approach road to 664 meter and a major bridge of 110 meter from Km. 82+675 to Km. 82+925 on NH-244 in Jammu & Kashmir on EPC mode, under forest division and District Kishtwar, Jammu & Kashmir (Online proposal no. FP/JK/Road/44916/2020)-regarding.

Ref: (i) Original proposal received on dated 24.06.2020
(ii) U.T. of J&K online reply received on 29.07.2020

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, in-principle approval is hereby conveyed for diversion of **1.2 hectares** of forest land for the above mentioned project, subject to the following conditions:

- i) Cost of compensatory afforestation CA scheme may be realized from the user agency.
- 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)
- 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) Revised site suitability certificate for 2.4 hectare to be submitted.

- vi) Divisional Forest Officer shall furnish undertaking that the approved CA site(s) will not be changed without the approval of competent authority.
- vii) 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.

(B) The following conditions shall also be complied with after the final approval is accorded:

- i) Legal status of the forest land will remain unchanged.
- ii) Efforts should be made to fell minimum number of trees not to exceed 461 trees.
- iii) The trees should be felled under strict supervision of the State Forest Department.
- iv) 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.
- v) The DFO shall ensure taking up CA plantations at approved CA sites and shall not alter the approved sites without obtaining the permission of the competent authority.
- vi) The CA will be carried out over 2.4 ha on degraded forest land respectively as per the CA scheme and the funds will be provided by the user agency. The plantation will be done within one year from the date of issue of the approval.
- vii) The forest land will not be used for any other purpose than that mentioned in the proposal.
- viii) 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.
- ix) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- x) No damage will be done to the adjoining forest land;
- xi) The User Agency shall raise strip plantation on both sides and central verge of the road at the project cost as per IRC specifications with maintenance of seven to ten years;
- xii) The user agency shall pay additional amount of NPV as and when increased on the order of Hon'ble Supreme Court;
- xiii) The User agency shall carry out muck disposal at pre-designed sites as per the scheme approved by the Forest Department. The required soil conservation measures should be taken up by the user agency for which fund should be provided as per the current rate of works;
- xiv) 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;
- xv) Any other condition that this Regional Office may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xvi) 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;

4. 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 forest land will not be allowed till final approval is accorded.

Yours faithfully,

Sd/-
(C.D. Singh)
Dy.DGF (Central)

Copy to:-

1. The ADGF (FC), Ministry of Environment, Forests, Indira Paryavaran Bhawan, Jor Bagh, Aliganj, New Delhi (www.adgfc-mef@gov.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 and District Kishtwar, J&K.
6. National Highways & Infrastructure Development Corporation Ltd., PIU, Khellani (www.nhidclpiukhellani@gmail.com).