



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-JKB-025/2021-Jammu

Dated: 16.04.2021

To

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

Sub: Diversion of 1.184 ha of Forest land for Upgradation and Maintenance of road from MRL01-Tarathpora to Waisa via Shenpora cherpawa Kulwari Lilam Stage -U (Batch -I, 2019-20) Package No JK08-2012, Length = 8.5kms, Block Ramhal, District Kupwara, U.T. of Jammu & Kashmir. (Online proposal no. FP/JK/ROAD/65427/2020)-regarding.

Ref: i) Government of J&K online proposal received on 16.03.2021

Sir,

Please refer to the above cited subject and letter 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 Government of J&K, *in-principle* approval is hereby conveyed for diversion **1.184** 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) 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;
- ii) 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.
- iii) Submission of site specific CA estimate as per Para 2.8 FCA 1980 guidelines.

- iv) Submission of FRA certificate.
- v) Re-submission of KML of CA polygon since it has been found to be significantly larger than the area required for target plantation. Balance area to be used for other proposals.

(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 shall remain unchanged;
- ii) Efforts should be made to fell minimum number of trees and in any case, not more than 113 trees + 111 U/s Poles shall be felled;
- iii) The trees should be felled under strict supervision of the State Forest Department;
- iv) **The DFO to ensure that User Agency shall not dump muck outside the road as per the muck disposal certificate furnished by the User Agency;**
- v) The forest land will not be used for any other purpose than that mentioned in the proposal;
- vi) 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;
- vii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- viii) 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;
- ix) No damage will be done to the adjoining forest land;
- x) No labour camp shall be established on the forest land;
- xi) The user agency shall pay additional amount of NPV as and when increased on the order of Hon'ble Supreme Court;
- xii) 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;
- xiii) Any other condition that this Regional Office may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xiv) 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.

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.

Yours faithfully,

Sd/-
(K Z Bhutia)
Regional Officer,
IRO, MoEF&CC, Jammu

Copy to:-

1. The ADGF (FC), Ministry of Environment, Forests, Indira Paryavaran Bhawan, Jor Bagh, Aliganj, New Delhi (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, UT of Jammu Kashmir (pccfjkforest@gmail.com).
3. The Nodal Officer (FCA), U.T. of Jammu & Kashmir, Forest Complex, Sheikh Bagh, Near Lal Chowk, Srinagar, UT of Jammu Kashmir (sarveshraiifs@gmail.com).
4. CEO, CAMPA O/o PCCF (HoFF), U.T. of Jammu & Kashmir, Forest Complex, Sheikh Bagh, Near Lal Chowk, Srinagar, UT of Jammu Kashmir. (jkcampacell@gmail.com).
5. The Divisional Forest Officer, Kehmil Forest Division and District Kupwara Jammu, UT of Jammu Kashmir.
6. Chief Engineer, PMGSY, Kashmir, Engineering Complex, Rajbagh, Srinagar-190008, UT of Jammu Kashmir. (cepmsyjkashmir@gmail.com)