



सत्यमेव जयते

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-JKC-005/2021-Jammu

Dated: 17/12/2021

To

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

Sub: **Diversion of 3.1 ha (instead of 5.37 ha) of forest land for Lashpathri-I Hydro Electric Project under forest division Sindh and District-Ganderbal, UT of Jammu and Kashmir (Online proposal no. FP/JK/HYD/47466/2020)-regarding**

Ref: **i) UT Admin of J&K online proposal received on dated 24.02.2021**  
**ii) Minutes of 39<sup>th</sup> REC held on 30.04.2021**  
**iii) Online reply from Nodal Officer J&K letter no. PCCF/FCA/3152/900-01, Dated-21-05-2021**  
**iv) Online reply from Nodal Officer J&K letter no. PCCF/FCA/3152/1998-99, Dated-31-08-2021**

Sir,

Please refer to the above cited subject and letters seeking prior approval of the Central government for the diversion of **3.1 ha** of Forest land for non-forestry purpose in accordance with section 2 of Forest (Conservation) Act, 1980.

2. After careful examination of the proposal of the UT Administration of J&K, *in-principle* approval is hereby conveyed for the diversion **3.1 ha** of Forest land for the above mentioned project, subject to the following condition:

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

- i. Cost of compensatory afforestation as per CA scheme may be realized from 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](http://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. 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. FRA Certificate from competent Authority to be submitted.

**(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 38 trees and 1 pole;
- iii. The state Government shall upload the KML files of the degraded forest area accepted for raising compensatory afforestation in the E-Green watch portal of FSI, before handing over of forest land to the user agency;
- iv. The trees should be felled under strict supervision of the UT Forest Department;
- v. 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;
- vi. The DFO shall ensure taking up plantation at approved CA sites and shall not after the approved sites without obtaining the permission of the competent authority;
- 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 competent authority;
- 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 including flora and fauna;
- xi. The user agency shall pay additional amount of NPV as and when increased on the order of Hon'ble Supreme Court of India;
- 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. The user agency shall submit the annual self compliance report in respect of the above conditions to the state government and to the concerned Regional Office of the Ministry regularly;
- xiv. The competent authority may revoke/suspend the clearance, if implementation of any of the above conditions is not satisfactory. State government will ensure compliance of these conditions through forest department

Yours faithfully,

Sd/  
(C D Singh)  
**Regional Officer**  
**Dy. DGF (Central) &**  
**i/c IRO Jammu**

Copy to

1. The ADGF (FC), Ministry of Environment, Forests, Indira Paryavaran Bhawan, Jor Bagh, Aliganj, New Delhi ([adgfc-mef@nic.in](mailto: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, UT of Jammu Kashmir ([pccfjkforest@gmail.com](mailto: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](mailto: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](mailto:jkcampacell@gmail.com)).
5. The Divisional Forest Officer, Sindh forest Division and District Ganderbal, UT of Jammu Kashmir.
6. Jammu and Kashmir Energy Development Agency (JAKEDA), U.T. of Jammu and Kashmir. ([xenjakeda@gmail.com](mailto:xenjakeda@gmail.com))