



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**
Camp Office : Integrated Regional Office, Chandigarh



File No: 9-JKC002/2021-CHA

Dated: 22/02/2021

To

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

Sub: Diversion of 49.5904 ha of forest land for approach road (17.814 km in length) starts from km. 82.00 of NH-1 at Sitkari Village (Sonmarg) and ends at Western Portal of Zojila Tunnel near Baltal Camp. This project will provide all-weather connectivity from Srinagar to Kargil-Leh which is strategically very important for national security, under forest division Sindh and District Ganderbal, U.T. of Jammu & Kashmir. (Online proposal no. FP/JK/Road/48999/2020)-regarding.

Ref: (i) Original proposal received from UT Administration of J&K on dated 12.02.2021

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.

After careful examination of the proposal of the UT Administration and approval of the Regional Empowered Committee, **In-principle approval is hereby conveyed** for diversion of **49.5904 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 State/UT Forest Department:

- i) Cost of compensatory afforestation as per CA scheme may be realized from the user agency.
- ii) Cost of Addl. compensatory afforestation as per ACA scheme may be realized from the user agency.
- iii) 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;
- iv) 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 (parivesh.nic.in)

- v) 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.
- vi) The 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 Authority shall furnish undertaking that the funds under State CAMPA will be released to Divisional Forest Officer as per approved CA scheme.
- viii) FRA certificate in original 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/UT 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 474 trees and 273 plants.
- iii) The trees should be felled under strict supervision of the State Forest Department;
- iv) The CA will be carried out over 99.18 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.
- v) The ACA will be carried out over 0.546 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.
- vi) The 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 Authority shall furnish undertaking that the funds under State CAMPA will be released to Divisional Forest Officer as per approved CA scheme.
- viii) The forest land will not be used for any other purpose than that mentioned in the proposal;
- ix) 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;
- x) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xi) No damage will be done to the adjoining forest land;
- 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 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;
- xiv) Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/Forest Areas;
- xv) The user agency shall provide suitable under/over pass in Protected Area/Forest Area as per recommendation of CWLW/NBWL/FAC/REC;
- xvi) User Agency shall obtain wildlife clearance as per the provision of the Wildlife (Protection) Act, 1972, if applicable;
- xvii) The user agency shall carry out muck disposal at pre-designated 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;

- xviii) 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;
- xix) Any other condition that this Regional Office may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xx) 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 accorded under Section-2 of the Forest (Conservation) Act, 1980. The use of forest land will not be allowed till final approval is granted.

Yours faithfully,

Sd/-
(K Z Bhutia)
Regional Officer,
MOEF&CC, IRO 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, J&K (pccfjkforest@gmail.com).
3. The Nodal Officer (FCA), U.T. of Jammu & Kashmir, Forest Complex, Sheikh Bagh, Near Lal Chowk, Srinagar, J&K (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 (jkcampacell@gmail.com).
5. The Divisional Forest Officer, Forest Division and District Ganderbal, J&K.
6. NHIDCL PMU- SONAMARG, Zmorph Camp Site, Gagangir, Sonamarg, District Ganderbal, Jammu and Kashmir (nhidcl.sonamarg@gmail.com)