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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

पता:-IWDP कॉम्प्लेक्स, नरवाल, जम्मू

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File No: 9-JKB-082/2021-Jammu

Dated: 24/01/2022

To,

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

Sub: **Diversion of 3.5183 ha of Forest land in Kishtwar Forest Division for Construction & Upgradation to 2 lane with paved shoulder from Design Km. 67.805 (at the end of Km 83rd tunnel near Dhrabshala) to Km 80.675 (Dulhasti) 12.87 Km length on Khellani-Kishtwar-Chattroo section, District Kishtwar, UT of Jammu and Kashmir-reg.**

Ref: i) Online proposal bearing on FP/JK/ROAD/143629/2021 received on dated 20.10.2021
ii) Nodal officer J&K letter no. PCCF/FCA/3348/4743-44 dated 31.12.2021

Sir,

Please refer to the above cited subject and letters seeking prior approval of the Central government for the diversion of **3.5183 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 **3.5183 ha** of Forest land in **Kishtwar Forest Division** in favour of **PMU KISHTWAR, NHIDCL** for Construction & Upgradation to 2 lane with paved shoulder from Design Km. 67.805 (at the end of Km 83rd tunnel near Dhrabshala) to Km 80.675 (Dulhasti) 12.87 Km length on Khellani-Kishtwar-Chattroo section, District Kishtwar, UT of Jammu and Kashmir, subject to the following condition:

(A). Conditions which need to be complied prior to handing over of forest land by the UT Forest Department to the PMU KISHTWAR, NHIDCL (User Agency):

- 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 **letter No. 5- 3/2011-FC(vol-I) dated 6th January 2022** and Hon'ble Supreme Court of India's Order dated 30th October 2002, 28th March, 2008, 24th April, 2008, 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.

- V. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.

(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 192 Trees & 127 U/s Poles will be felled;
- iii. Compensatory afforestation will be carried out over 8.00 ha Non-forest/Degraded forest land on Compartment No. 38/K, Tehsil-Drabshalla, Village-Kankoot, District- Kishtwar at the cost Rs. 1523817/- of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- iv. Compensatory afforestation will be done within one year from the date of issue of final approval over the extent of land as approved, out of the funds provided to the user agency.
- 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 MoEF&CC;
- vii. The UT Govt 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;
- viii. The DFO shall ensure that User agency shall not dump muck on forest land;
- ix. The forest land will not be used for any other purpose than that mentioned in the proposal;
- x. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department, or person without approval of the Ministry of Environment, Forest & Climate Change;
- xi. The layout plan of the proposal shall not be changed without the prior approval of the Ministry of Environment, Forest & Climate Change;
- xii. 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;
- xiii. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas
- xiv. No damage will be done to the adjoining forest land including flora and fauna;

- xvi. The user agency shall pay additional amount of NPV as and when increased on the order of Hon'ble Supreme Court;
- 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. 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,

(C D Singh)

RO & 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).
2. The Pr. Chief Conservator of Forests (HoFF), U.T. of Jammu & Kashmir, Van Bhavan, Near Gummat, Jammu, UT of Jammu Kashmir (pccfjkforest@gmail.com).
3. The Nodal Officer (FCA), U.T. of Jammu & Kashmir, Van Bhavan, Near Gummat, Jammu, UT of Jammu Kashmir (ccffcajkl@gmail.com).
4. CEO, CAMPA O/o PCCF (HoFF), U.T. of Jammu & Kashmir, Van Bhavan, Near Gummat, Jammu, UT of Jammu Kashmir (jkcampacell@gmail.com).
5. The Divisional Forest Officer, Kishtwar Forest Division and District Kishtwar, UT of Jammu Kashmir.
6. Office of the PMU KISHTWAR, NHIDCL Ho. No. 89, Ward No.-09, Sheetla Road, Near Kulled Chowk, Kishwtar, District Kishtwar, UT of Jammu and Kashmir. (pmunhidclkishtwar@gmail.com)