

I/6877/2021



भारतसरकार
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-090/2021-Jammu

Dated: 28/12/2021

To

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

Sub: **Diversion of 1.9891 ha of forest land in Kathua and Samba Forest Division in favour of National Highway Authority of India for Development of package-15 (Km 468+100 to Km 503+250) of Phase-II of Delhi-Katra Expressway, under Kathua and Samba Forest division, U.T. of Jammu and Kashmir (Online proposal no. FP/JK/Road/142566/2021)-regarding.**

Ref: **i) UT Admin of J&K online proposal received on dated 24.11.2021**

Sir,

Please refer to the above cited subject and letters seeking prior approval of the Central government for the diversion of **1.9891 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 (S-I)** approval is hereby being conveyed for the diversion **1.9891 ha** of Forest land in **Kathua and Samba** Forest Division in favour of National Highway Authority of India for Development of package-15 (Km 468+100 to Km 503+250) of Phase-II of Delhi-Katra Expressway, District Kathua and Samba, UT of Jammu and Kashmir, subject to the following conditions:

(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;
- 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

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bank only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;

- 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 **30** trees and **762** poles in **Kathua** Forest Division and not more than **44** trees and **454** poles in **Samba** Forest Division shall be felled. Any felling shall only be done under strict supervision of forest department upon issuance of felling permission from concerned DFO;
- iii. The UT Govt shall upload the KML files of the degraded forest area accepted for raising compensatory afforestation as well as the forest area being diverted against this proposal on the E-Green watch portal of FSI.
- iv. No muck will be dumped in the forest land.
- v. Compensatory afforestation will be carried out in two different patches of Degraded Forest Land (DFL) in two districts/forest divisions involved-Upon 2.65 ha in Samba district on Comp no. 15/D, Village-Sumbli, Tehsil- Bari Brahmana, District-Samba and 2 ha in Kathua district on Comp no. 75/J, Jasrota forest range, Tehsil-Hiranagar, District-Kathua at the cost of Rs.4,00,000 in Kathua division and Rs.5,30,000 in Samba division.
- vi. 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 the user agency;
- vii. The CEO state CAMPA authority shall ensure release of funds under CAMPA to the concerned DFOs for raising CA plantation as per CA scheme approved.
- viii. 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;
- 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 competent authority;
- xi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xii. No damage will be done to the adjoining forest land including flora and fauna;
- xiii. No labour camp shall be established on the forest land;
- xiv. The user agency shall pay additional amount of NPV as and when increased on the order of Hon'ble Supreme Court;

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- xv. 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;
- xvi. 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 ParyavaranBhawan, JorBagh, Aliganj, New Delhi (adgfc-mef@nic.in).
2. The Pr. Chief Conservator of Forests (HoFF), U.T. of Jammu & Kashmir, Forest Complex, Sheikh Bagh, Near LalChowk, Srinagar, UT of Jammu Kashmir (pccfjkforest@gmail.com)
3. The Nodal Officer (FCA), U.T. of Jammu & Kashmir, Van Bhawan, near Gummat, Jammu, UT of Jammu Kashmir (ccffcajk1@gmail.com).
4. CEO, CAMPA O/o PCCF (HoFF), U.T. of Jammu & Kashmir, Forest Complex, Sheikh Bagh, Near LalChowk, Srinagar, UT of Jammu Kashmir. (jkcampacell@gmail.com).
5. The Divisional Forest Officer, Kathua and Samba forest Division and District Kathua and Samba, UT of Jammu Kashmir.
6. National Highway Authority of India, District- Jammu, U.T. of Jammu and Kashmir. (piujammu@gmail.com)