

I/6525/2021



भारत सरकार/ Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय/Integrated Regional Office
पता:- IWDP कॉम्प्लेक्स, नरवाल, जम्मू-180006
Address:- IWDP Complex, Narwal, Jammu-180006
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File No: 9-JKA-072/2021-Jammu

Dated: 18/11/2021

To

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

Sub: **Diversion of 0.525 ha of forest land for construction of road from Dhar road Larey to Sumal under Kathua Wildlife division and District Udhampur, U.T. of Jammu & Kashmir (Online proposal no. FP/JK/ROAD/141991/2021)-reg.**

Ref: i) UT Admin of J&K online proposal received on dated 27.08.2021

ii) Online reply from Nodal Officer J&K letter no. PCCF/FCA/3285-II/2591-92 dated-28-10-2021

Sir,

Please refer to the above cited subject and letters seeking prior approval of the Central government for the diversion of **0.525 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 **0.525 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 shall be realized from user agency.
- II. Net Present Value (NPV) of the forest land being diverted for non-forestry purpose shall 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 bank only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.

I/6525/2021 V. The UT of J&K shall not issue temporary working permission until entire compensatory levies are deposited by the User Agency and confirmed online on Ministry's web portal.

VI. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action will be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter no 5-2/2017-FC dated 28/03/2019.

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 **42** units of Poles will be felled. Any felling shall be strictly as directed by the state forest officials.
- iii. **UT Government shall upload the KML files of degraded forest area accepted for raising compensatory afforestation in the E-Green watch portal of FSI, before handing over forest land to the user agency.**
- iv. No muck will be generated during construction of the proposed road as per the undertaking given by UA
- v. The forest land will not be used for any other purpose than that mentioned in the proposal;
- vi. **The user agency shall implement all the conditions imposed in the Wildlife Clearance to this proposal (FP/JK/ROAD/141991) by the Standing Committee of the NBWL in its 65th meeting held on 24.09.2021 and communicated vide letter no. 6-82/2021 (WL) dated 08.10.2021;**
- vii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department, or person without approval of the MoEF&CC, Government of India;
- viii. The layout plan of the proposal shall not be changed without the prior approval of the MoEF&CC, Government of India;
- ix. 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;
- x. No damage will be done to the adjoining forest land;
- xi. No labour camp shall be established on the 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 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;

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- iv. Any other condition that this Integrated Regional Office may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xv. It will be the responsibility of the UT 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

Yours Sincerely,

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).
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, Kathua wildlife Division and District Udhampur, UT of Jammu Kashmir.
6. Executive Engineer PMGSY Division Ramnagar, U.T. of Jammu and Kashmir. (xenpmgsyrgr@gmail.com)

Signed by C D Singh
Date: 18-11-2021 14:19:16
Reason: Approved