

No. NHIDCL/PIU Khellani/EPC-km 83rd/2019-20 /02

Date: 30th March 2020

To,

The District Commissioner

Kishtwar

Jammu & Kashmir

Subject: Settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006 : Regarding certificate FRA 2006, in the prescribed preforms (As per Gol letter F.N 0.11-9 198-FC (pt.), Dated. S/712013.

Sir,

Please refer to the Ministry of Environment and Forests (MoEF), Government of India's letter No.11- 9/98-FC (pt.) dated 3rd August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006 (FRA) on the forest land proposed to be diverted for non-forest purposes. In regard of the same, it is intimated that 1.2 Hectare (1.15 Ha Underground Tunnel and 0.05 Ha Open Area) of forest land proposed to be diverted in favour of Resident Engineer, PIU Khellani, National Highways and Infrastructure Development Corporation Limited (NHIDCL) for Construction Road Portion from 82.675 to 82.925 at Km 83 on Batote - Kishtwar Road Section of NH-244 in Kishtwar district, falls within the jurisdiction of Duga, Chamoti village(s) in Drabshala Tehsil.

You are kindly requested to initiate the process of FRA 2006 and issue Certification for the same.


(Saurav Deo)

AEE cum Resident Engineer

PIU Khellani, NHIDCL



Form-I
(For Linear projects)
GOVERNMENT OF JAMMU & KASHMIR
OFFICE OF THE DEPUTY COMMISSIONER KISHTWAR

No: DCK/LA/2019-20/438

Dated 20-03-2020

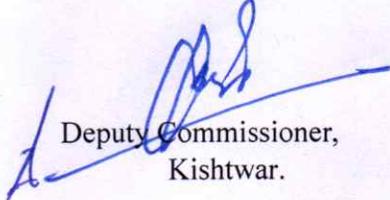
TO WHOSOEVER IT MAY CONCERN

In compliance to the Ministry of Environment and Forest (MoEF), Government of India letter No. 11-9/98-Fc (pt) dated 3rd August 2009, wherein, the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Right) Act. 2006 ('FRA' for short) on the forest land proposed to be diverted for non-forest purposes read with MoEF's letter dated 5th February 2013, wherein MoEF issued certain relaxation in respect of linear projects. It is certified that 1.2 hectares of Forest Land proposed to be diverted in favour of National Highways & Infrastructure Development Corporation Limited (NHIDCL) for **Construction of Bi-Directional Tunnel at Km. 83rd (kuligarh) of length 495m including approach road of 664m and a major bridge of 110m from Km. 82+675+ to 82+925 on Batote -Kishtwar -Sinthanpass road section of NH-244** in Kishtwar District falls within jurisdiction of Village Chamoti, Tehsil Drabshalla

It is further certified that:

- (a) the complete process for identification and settlement of rights under the FRA has been carried on the entire 1.2 hectares of forest area proposed for diversion by Tehsildar concerned as reported vide No:733/OQ/TD Dated:20-03-2020. A copy of Resolution of Gram Sabha members and Report/Certificate of Tehsildar is enclosed as annexure 1 and annexure 2 respectively.
- (b) The diversion of forest land for facilities managed by the Government as required under section 3(2) of the FRA have been completed and the Gram Shaba has given their consent to it.
- (c) The proposal does not involve recognised rights of Primitive Tribal Groups and Pre-Agricultural Communities.

Encl: As Above

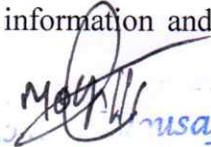

Deputy Commissioner,
Kishtwar.

RESOLUTION

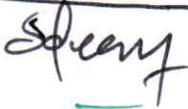
Today on 20 Mar 2020, a meeting under the chairmanship of Sarpanch Panchayat Halqa Chamoti was held at village Chamoti. The meeting was attended by all the prominent personalities as well as the Panchayat Body of the area. During the meeting the matter on various development works were discussed.

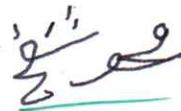
The main issue which was highlighted during the meeting was that the tender for construction of tunnel to Kuligad revenue village Chamoti, Tehsil Drabshalla has been issued by the Govt. The tender is quite essential for safeguarding the public as well as for general traffic as approximately 20-30 persons has lost their lives on this road (Thathri to Drabshalla), hence the public of Panchayat Chamoti has no objection on construction of the said tunnel. It is further added that there is no any proprietary land (Malkiat/Shamlat land) which comes during the said construction.

This resolution is solicited to the Tehsildar Drabshalla for information and record please.


Ch. Musaf
Sarpanch
Pvt. Chamoti
Sarpanch

محمد شفیق کبیر مدنی چیوٹی
ایم محمد امیر بھارتی وردی عمری


Sarpanch


Naib Sarpanch


Naib Sarpanch
Pvt. Chamoti

عبدالحمید وردی مدنی چیوٹی


Member

شہینہ دین سالکہ سونگھتی


Member

OFFICE OF THE TEHSILDAR DRABSHALLA**TO WHOM IT MAY CONCERN**

In compliance of Rule 6 (3) (e) of the forest (Conservation) Rules, 2003 (as amended vide the Forest (Conservation) Amendment Rule 2014 Forest (Conservation) second Amendment Rule 2014 and Forest (Conservation) amendment Rules 2016, it is certified that 1.2 hectares of forest land proposed to be diverted in favour of NHIDCL for construction of Kuligad Tunnel (purpose for diversion of Forest Land) in the District Kishtwar, Tehsil Drabshalla. It is further certified that :-

- (a) The complete process of recognition and vesting of forest rights under the FRA has been carried out for the entire 1.2 hectares of forest land proposed for committee (Gram Sabha), copy attached for ready reference.
- (b) The diversion of Forest land for facilities managed by the Government as required under section 3 (2) of the FRA, 2006 have been completed and the Gram Sabha have given their consent to it.
- (c) The proposed area does not involve recognized rights of the Primitive Tribal Groups and Pre Agriculture Committees.

No : 733/08/TD

Dated : 20-03-2020

 20/3/20

(Shohab Latief), KAS
Tehsildar
Drabshalla