

Government of Jammu and Kashmir,
Forest, Ecology & Environment Department
Civil Secretariat, J&K Jammu

Subject: Use of 0.80 Ha forest land for laying of optical fibre cable from Sitharan to Chinimarg in Pir Panjal Forest Division, District Budgam.

Reference: 1. Online Proposal No. FP/JK/OFC/44684/2020.
2. In-Principle (Stage-I) approval conveyed vide letter no. FST/Land/Parivesh/18/2020 Dated 04.05.2021.

Government Order No:- 161-JK(FST) of 2021
Dated:- 13.12.2021

Whereas, online proposal no. FP/JK/OFC/44684/2020 was received under Section 2 of the Forest (Conservation) Act 1980 for use of 0.80 Ha forest land for laying of optical fibre cable (OFC) from Sitharan to Chinimarg in Pir Panjal Forest Division, District Budgam; and

Whereas, In-principle approval to the above proposal was accorded by J&K Government and conveyed vide letter no. FST/Land/Parivesh/18/2020 dated 04.05.2021; and

Whereas, the report on compliance of the conditions of in-principle approval was received vide letter No. PCCF/FCA/3108/2701 dated 11.11.2021 from Nodal Officer (FCA), J&K Forest Department.

Now therefore, sanction (Stage-II approval) for the use of 0.80 Ha forest land is hereby accorded for laying of optical fibre cable from Sitharan to Chinimarg in Pir Panjal Forest Division, District Budgam with the following particulars and subject to the terms and conditions appearing hereinafter:

Particulars of the proposal:-

1.	User Agency/Applicant	Vindhya Telelinks Ltd.		
2.	Location	Division : Pir Panjal Forest Division. Compartment No: 17/S, 16/S, 15/S, 9/S, 8/S District : Budgam		
3.	Objective	Providing internet connectivity in remote area.		
4.	Salient Features of the Project:			
	Length of OFC in forest area	Width	Forest Area involved	
	20,000 m	0.4 m	0.8 Ha	
5.	Number of Trees/poles/Saplings involved: NIL			

Terms and conditions:-

- i. Legal status of the forest land will remain unchanged.
- ii. Compensatory afforestation shall be taken up by the Forest Department over 1.60 ha degraded forest land (Compartment No. 15/S) at the cost of the user agency amounting to Rs 10,70,000/-.
- iii. 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 by the user agency.
- iv. The DFO shall ensure taking up CA plantations at approved sites and shall not alter the approved sites without obtaining the permission of the competent authority.
- v. The forest land will not be used for any other purpose other than that mentioned in the proposal.
- vi. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged from the User Agency. The User Agency shall furnish an undertaking to this effect.
- vii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department, or person without prior approval of the Central Government.
- viii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- ix. No labour camp shall be established on the forest land.
- x. 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.
- xi. The muck/waste material shall be disposed off as per the approved plan, if applicable.
- xii. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- xiii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- xiv. The user agency shall provide firewood preferable 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.
- xv. The User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, and any other clearances under relevant Acts/ Rules/court's Rulings/instructions, etc., as applicable to this proposal.
- xvi. No damage will be done to the adjoining forest land, and all efforts shall be made to save the adjoining forest and forest land. The User Agency and /or its contractors will not bring any forest area under their use, other than the actual area/activity approved by the Government for the instant proposal. Any laxity or deviation on this account by the User Agency or its contractors will attract penal provisions of the relevant Acts/legal provisions.
- xvii. The User Agency shall pay any expenses/rent/fees etc as applicable towards Forest Department in accordance with the relevant Telecom Guidelines/Policy in vogue.
- xviii. The OFC cable shall be laid down in a trench not more than 2 metre in depth & 1 metre in width and after laying of the OFC, the ground will be suitably leveled and reclaimed.
- xix. The User Agency shall construct retaining walls/breast walls/ rain water drainage on forest land and take all necessary steps to check soil erosion which may result due to proposed work.
- xx. Any damage done to the forest by the User Agency or its contractors shall be charged from the User Agency @ 10 times as per the standard rate of 2018 issued vide the Government Order No: 10-FST of 2018 dated: 09.01.2018.
- xxi. The forest land so allowed for use shall return to the Forest Department free of any encumbrances when it is no longer required by the User Agency.

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- xxii. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

By order of the Government of Jammu and Kashmir.


Sd/-
(Sanjeev Verma) IAS
Commissioner/ Secretary to Government

No. FST/Land/OFC/110/2021-02

Dated:- 13.12.2021

Copy to the:

1. Secretary to Government of India, MoEF&CC, New Delhi.
2. Principal Chief Conservator of Forests (HOFF), J&K.
3. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
4. APCCF/ Chief Conservator of Forests, Kashmir
5. Chief Conservator of Forests/ Nodal Officer (FCA), O/o Pr. CCF J&K..
6. Private Secretary to Chief Secretary.
7. Private Secretary to Commissioner/Secretary, Forest, Ecology & Environment Department J&K.
8. General Manager, Vindhya Telelinks Ltd, 2nd Floor Indira Theatre Building opp Circuit House canal road Jammu.
9. Govt. Order File (w.2.s.c)/Stock file.


(Fayaz Ahmad Qureshi)
Under Secretary to Government