

Office Address

Srinagar Office : Forest Complex, Shiekh Bagh, Phone: 0194-2483937
Lal Chowk, Sgr-190001
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Narwal Jammu-180006



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**Jammu & Kashmir Forest Department
Office of the Pr. Chief Conservator of Forests & HoFF
Government of Jammu & Kashmir**



**Financial Commissioner (Additional Chief Secretary)
Department of Forests, Ecology & Environment
Civil Secretariat, Jammu**

No. PCCF/FCA/85-III/168-70

Dated 19-04-2024

Sub: Proposal for seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 for non-forest use of 13.24 Ha of forest land for construction of Shahpurkandi Dam Division-II Punjab, Shahpurkandi Township, under forest division and District Kathua, Jammu and Kashmir (Online Proposal No. FP/JK/HYD/51783/2020) Reg.

Ref: Government of India, MoEF&CC (Forest Conservation Division) File No. 9-JKC002/2020-Jammu

Sir,

Kindly find enclosed herewith the compliance report submitted by Wildlife Warden Kathua vide letter No. WLW/K/2024-25/77-80 dated 10-04-2024 of the terms and conditions of Stage-I approval accorded for non-forest use of 13.24 Ha of forest land for construction of Shahpurkandi Dam Division-II Punjab, Shahpurkandi Township, under forest division and District Kathua, Jammu and Kashmir by Government of India, MoEF&CC (Forest Conservation Division) File No. 9-JKC002/2020-Jammu.

The confirmation regarding receiving of extraction charges and uploading of KML file of CA site on e-green watch portal has been furnished by Wildlife Warden Kathua.

Hence, recommended for accord of stage-II (final) approval for this proposal.

Yours faithfully

**S.Senthil Kumar) IFS
Addl. Pr. Chief Conservator of Forests
Nodal Officer (FCA)**

By 19/04/24

Copy for information to:

1. CCF/CF East Circle Jammu.
2. Wildlife Warden Kathua



Department of Wildlife Protection J&K Government
OFFICE OF THE WILDLIFE WARDEN KATHUA

Tel/Fax No. 01922-234622, Email: -wildlifekathua1@gmail.com



**The Conservator of Forests,
East Circle Jammu.**

No. WLW/K/2024-25/77-80

Dated: 10-04-2024.

Subject: Diversion of 13.24 Ha. of Forest Land in Wildlife Division Kathua in favour of Executive Engineer, SPK Dam Reservoir Division, Shahpurkandi Township (Proposal No. FP/JK/HYD/51783/2020)-reg.

Sir,

On the subject and reference captioned above, the status report regarding compliance of conditions of State-I Approval in above mentioned FCA Proposal No. FP/JK/HYD/51783/2020, is tabulated below:

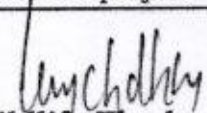
S.No.	Condition	Compliance status
A. Conditions which need to be compiled prior to handling over of forest land by the State Forest Department and Compliance is to be submitted prior to Stage-II approval.		
1.	The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 9.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned.	The User agency has deposited the payment of NPV amounting to Rs. 3,35,59,560/- vide UTR number UBIN0903710 dated 08/09/2021 into Campa account.
2.	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;	The User agency has deposited the payment of cost of raising and maintaining the compensatory afforestation amounting to Rs. 23,20,000/- vide UTR number UBIN0903710 dated 08/09/2021 into Campa account.
3.	The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;	The User agency has deposited the payment of cost of felling of trees amounting to Rs. 40,27,963/- vide UTR number RB1239130816303 dated 08/09/2021 in official account of Wildlife Warden Kathua.
4.	The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo sheet of 1:50,000 scale;	The land identified for the purpose of CA has been clearly depicted on a Survey of India topo sheet.
5.	The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval;	The non-forest land proposed for CA has already been transferred and mutated in the name of Forest Department. The Forest Department has notified this land as Reserved Forest. A copy of the original notification declaring the non-forest land is hereby submitted.
6.	The R&R plan shall ensure that there is no adverse impact on forests due to the project affected persons.	The copy of R&R plan has been submitted to The Principal Chief

	A copy of the R&R plan shall be submitted, and the same shall be monitored by the UT Administration in the above regard. In this regard the R&R plan shall also take full advantage of the Integrated Farming Scheme for Rainfed Area and National Bamboo Mission of the Ministry of Agriculture and Farmers' Welfare so that more employment opportunities could be created in the farm sector and there is no increase in biotic pressure on the adjoining forests due to project affected people;	Conservator of Forests & HoFF, Government of Jammu & Kashmir vide letter number 9529- 31/SPK-161 (J&K) dated 29/12/2020.
7.	The UT Administration shall prepare a Catchment Treatment Plan (CAT) which will be implemented at the cost of the user agency, State Government shall obtain necessary wildlife clearance before starting work on the project;	The User agency has prepared the Catchment Treatment Plan (CAT) which is approved by the office of The Principal Chief Conservator of Forests & HoFF, Government of Jammu & Kashmir vide letter number PCCF/FCA/1211/2374-79 dated 11/10/2021. The amount of Rs. 3,30,25,341/- has been deposited online vide UTR number UTIBR52023022200351262/411 5 dated 22/02/2023 in official account of Wildlife Warden Kathua.
8.	All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (https://parivesh.nic.in/). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;	All the required funds have been online deposited as mentioned above.
9.	The complete compliance report of each and every condition laid down in this approval shall be uploaded on e-portal (parivesh.nic.in).	The complete compliance report has been prepared and uploaded on e-portal (parivesh.nic.in).
10.	The complete compliance of the FRA, 2006 shall be ensured.	The FRA certificate has been issued by The Deputy Commissioner, Kathua vide letter number DCK/SK/2022-23/3112-13 dated 21/05/2022.
11.	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019;	The user agency has given undertaking in this regard (copy enclosed).

B. Conditions which need to be compiled 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.

1.	Legal status of the diverted forest land shall remain unchanged;	The user agency has given undertaking in this regard.
2.	The felling of trees shall be restricted to FRL-4 meter only and felling of trees shall be carried out by the State Forest Department. Number of trees to be removed shall be kept at barest minimum during the execution of the project;	
3.	Forest land will be handed over only after required non-forest land for the project is handed over to the user agency;	
4.	The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;	

5.	Compensatory afforestation shall be taken up by the Forest Department on equivalent non-forest land i.e. 13.24 ha (at villages in Billawar Forest Division) at the cost of the User Agency. A mixture of indigenous species will be planted and monoculture has to be avoided.	The user agency has given undertaking in this regard.
6.	The Catchment Area Treatment Plan (CAT) shall be implemented as per approved scheme;	
7.	User agency shall undertake afforestation along the periphery of the reservoir;	
8.	At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;	
9.	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;	
10.	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;	
11.	No labour camp shall be established on the forest land;	
12.	Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;	
13.	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.	
14.	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;	
15.	The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;	
16.	The forest land shall not be used for any purpose other than that specified in the project proposal;	
17.	No damage to the flora and fauna of the adjoining area shall be cause;	
18.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government;	
19.	The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;	
20.	User agency shall provide free water for forestry related activities/projects.	
21.	The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;	
22.	The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.	


Wildlife Warden
 & Kathua

Copy submitted to:

1. The Pr.CCF/Chief Wildlife Warden, J&K UT for favour of kind information please.
2. The Chief Conservator of Forests, (Nodal Officer) FCA, O/o of the PCCF (HoFF), J&K for information please.
3. The Regional Wildlife Warden, Jammu Region, Jammu for favour of kind information please.
4. The Executive Engineer, SPK Dam Reservoir Division, Shahpurkandi Township (User Agency) for information please.


Wildlife Warden



Department of Wildlife Protection J&K Government
OFFICE OF THE WILDLIFE WARDEN KATHUA

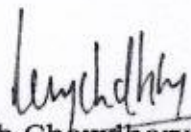
Tel/Fax No. 01922-234622, Email: wildlifekathua1@gmail.com

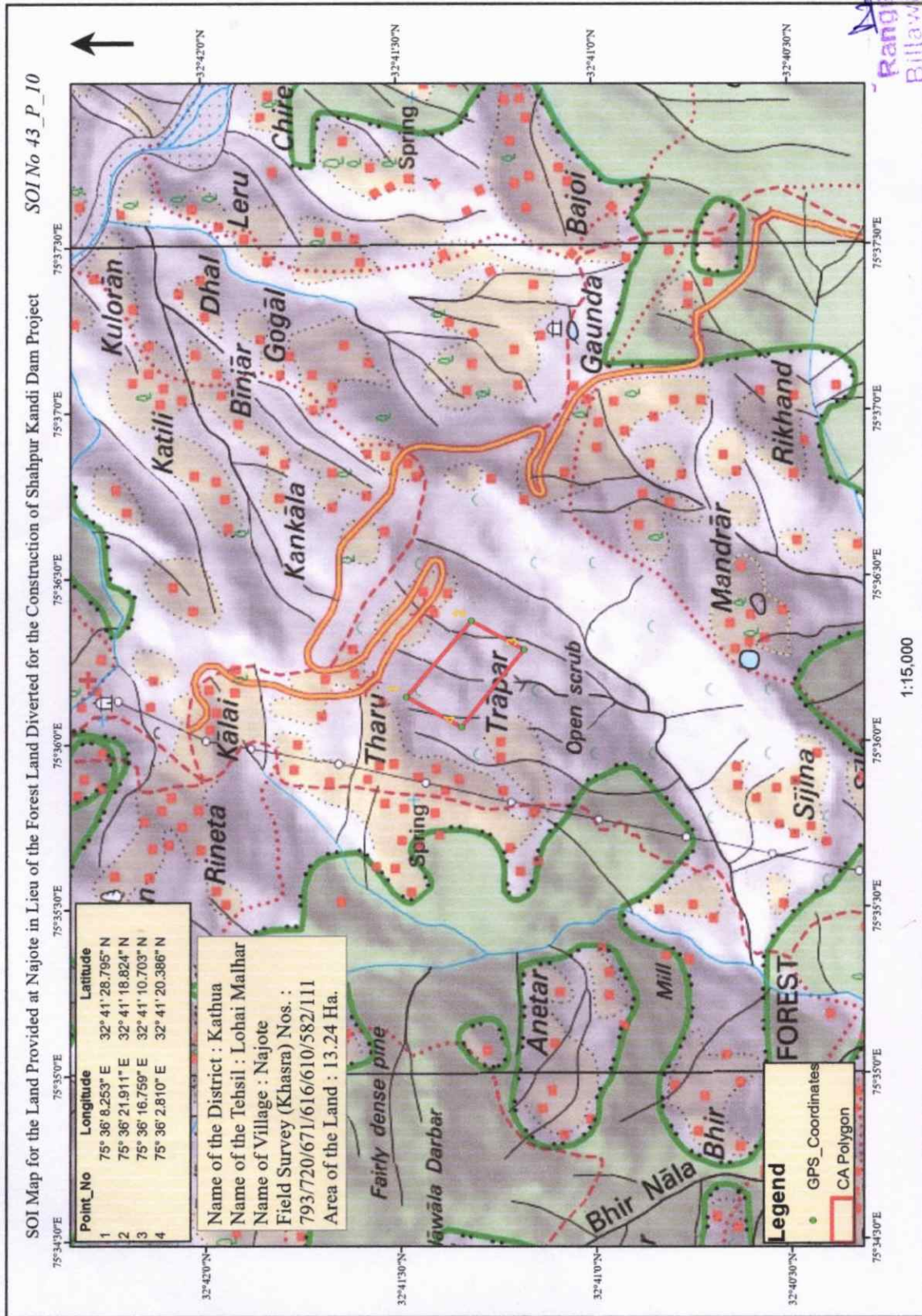


UNDERTAKING

I Wildlife Warden Kathua do hereby undertake to comply the following conditions:

1. Compensatory afforestation shall be taken up by the Forest Department on equivalent non-forest land i.e. 13.24 ha (at villages in Billawar Forest Division) at the cost of the User Agency. A mixture of indigenous species will be planted and monoculture has to be avoided.
2. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
3. The KML of CA site has been uploaded on e-green watch portal.


Zuhaib Chowdhary, SFS
Wildlife Warden
& **Kathua**



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Range Forest Officer
Billawar Forest Range
Billawar

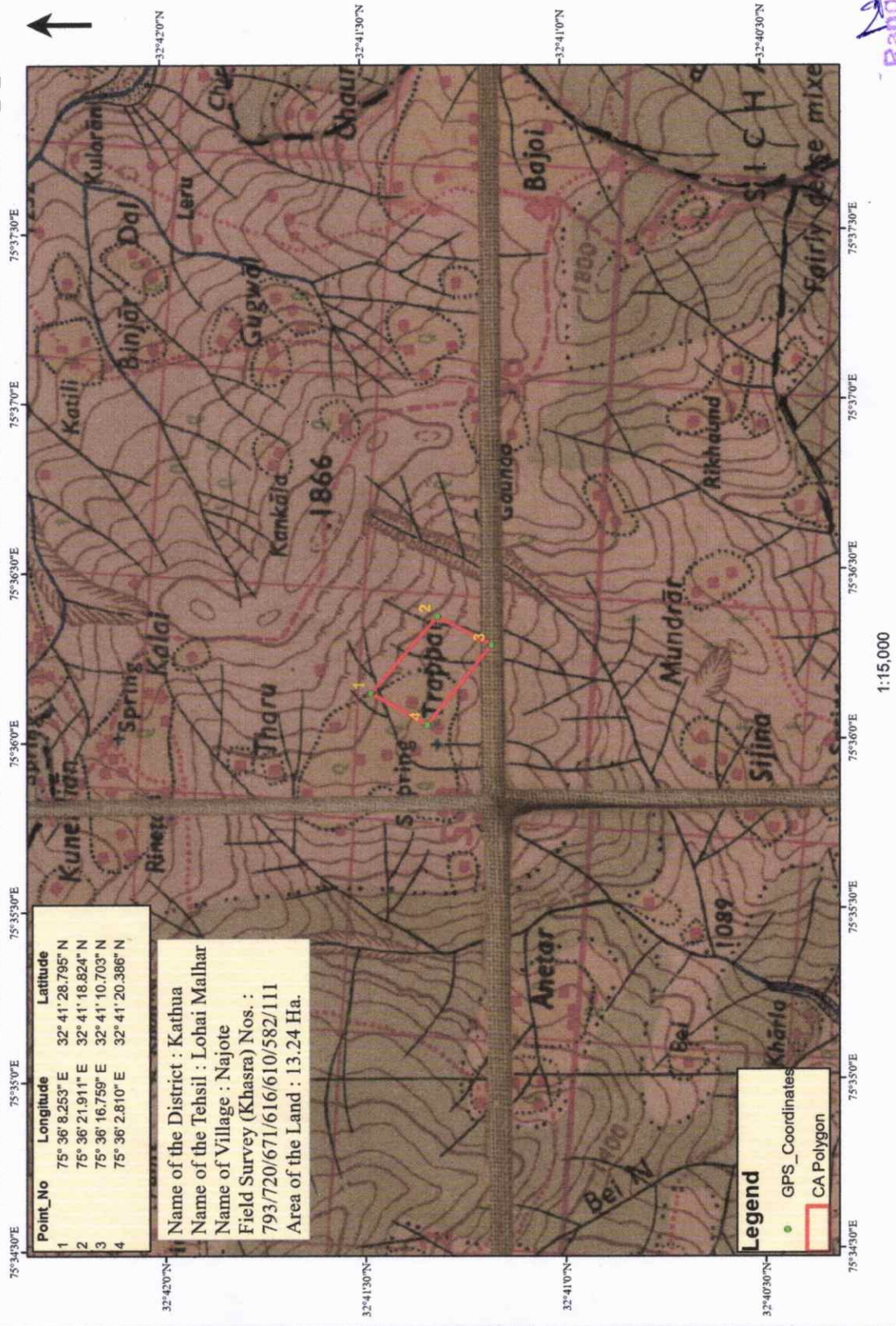
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Billawar

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Divisional Forest Officer
Photo Interpretation Division
Jammu/Srinagar

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Tehsildar
Lohai Malhar
H.O. Machhadi

SOI Map for the Land Provided at Najote in Lieu of the Forest Land Diverted for the Construction of Shahpur Kandi Dam Project

SOI No 43_P_10



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Billawar Forest Range
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Jammu/Srinagar

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Tehsildar
Lohai Malhar
H.Q. Machhad



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

NOTIFICATION

Jammu, the 20th of March, 2024

S.O. 190.-In exercise of the powers conferred by section 20 of the Indian Forest Act, 1927, the Government is, hereby, pleased to declare, with effect from the date of publication of this notification in the Official Gazette, the area mentioned in the Schedule below, the limits of which have been specified in terms of the boundaries described thereof, as Reserved Forest.

THE SCHEDULE

1	Name of the District	Kathua
2	Name of Tehsil	Lohai-Malhar
3	Name of the Village	Najote
4	Field Survey Khasra Numbers	793/720/671/616/610/582/111
5	Area of Land	13.24 Hectares

BOUNDARIES

The boundary description of the land located in Khasra number 111 (as per geo-referenced maps enclosed herewith) is given below:

Starting from the Point No. "1" having Geo-references as 75°36'8.253" E & 32°41'28.795" N, situated on the North side of the land in village Najote, the boundary runs towards South-East to Point No. "2" having Geo-references as 75°36'21.911" E & 32°41'18.824" N. Khasra number 83 is located towards North-Eastern side of the line joining Point No. "1" and Point No. "2".

Point No. "3" having Geo-references as 75°36'16.759" E & 32°41'10.703" N is situated towards South-West of Point no "2". Khasra number 99 and 151 lie towards South-East of the line joining Point No. "2" & Point No. "3".

Point No. "4" having Geo-references as 75°36'2.810" E & 32°41'20.386" N is located towards North-West of Point No. "3". Khasra number 100 lies towards South-West of the line joining Point No. "3" & Point No. "4".

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The line joining Point No. "4" and Point No. "1" is oriented in North-East direction with respect to Survey Point No. "4". Khasra number 84 is located towards North-West of the line joining Point No. "4" & Point No. "1".

ADMITTED RIGHTS

Nil

(The map of the reserved forest is appended herewith)

By Order of the Government of Jammu and Kashmir.

Sd/-

(Dheeraj Gupta), IAS

Financial Commissioner (Additional Chief Secretary)

No.FST-Land0FC/48/2022(229507)

Dated:20-03-2024

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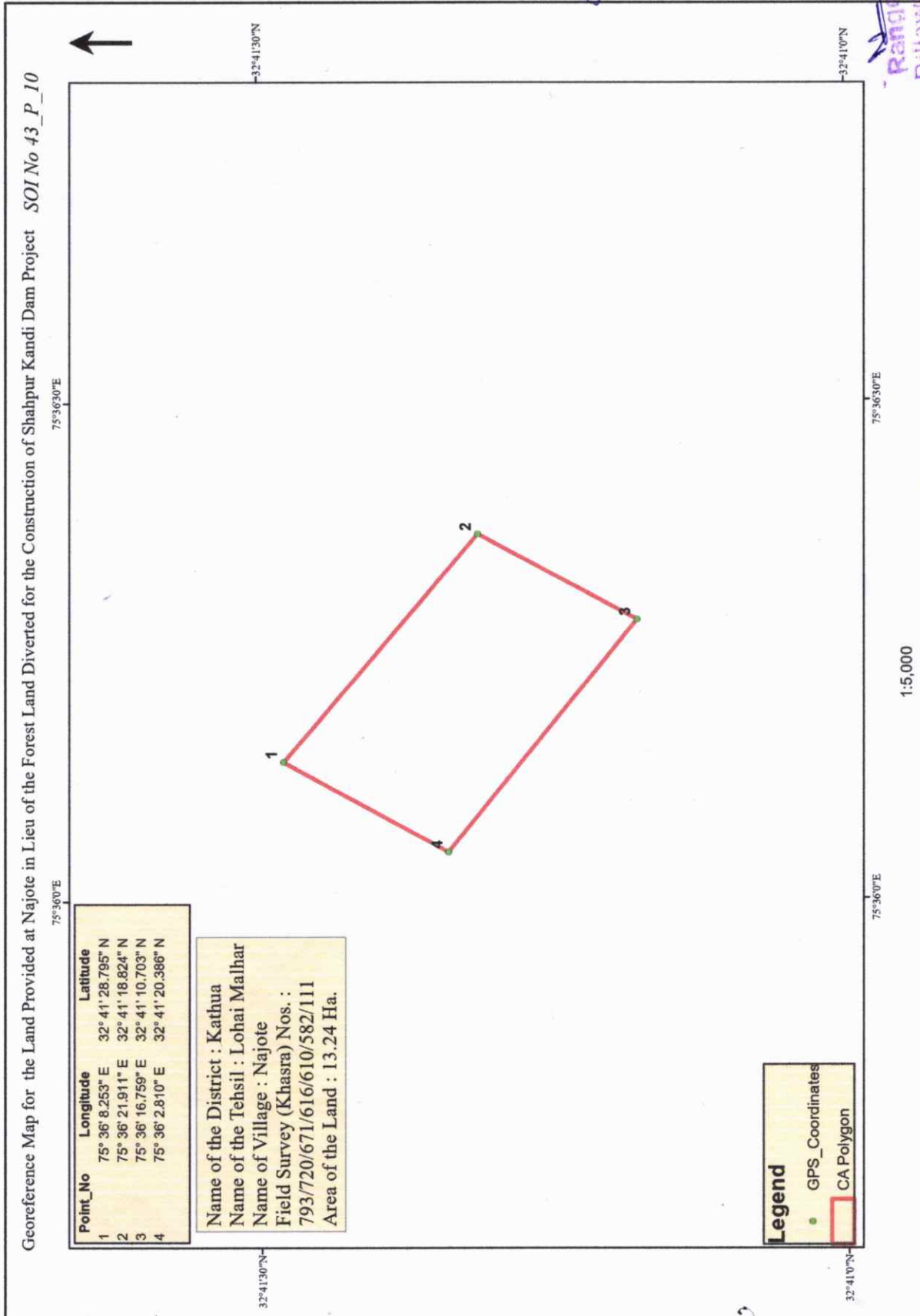
1. Secretary, Ministry of Environment, Forest and Climate Change, Government of India.
2. Principal Chief Conservator of Forests & HoFF, J&K.
3. Principal Secretary to the Hon'ble Lieutenant Governor, J&K.
4. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
5. Commissioner/Secretary to the Government, General Administration Department.
6. Administrative Secretary, Revenue Department.
7. Secretary to the Government, Department of Law, Justice and Parliamentary Affairs.
8. Director Archives, Archaeology and Museums, J&K.
9. General Manager, Government Press, Jammu/Srinagar.
10. Private Secretary to Chief Secretary, J&K.
11. Private Secretary to Financial Commissioner (ACS), Forest, Ecology and Environment Department.
12. I/c Website, Forest, Ecology & Environment Department.
13. Notification file/stock file.

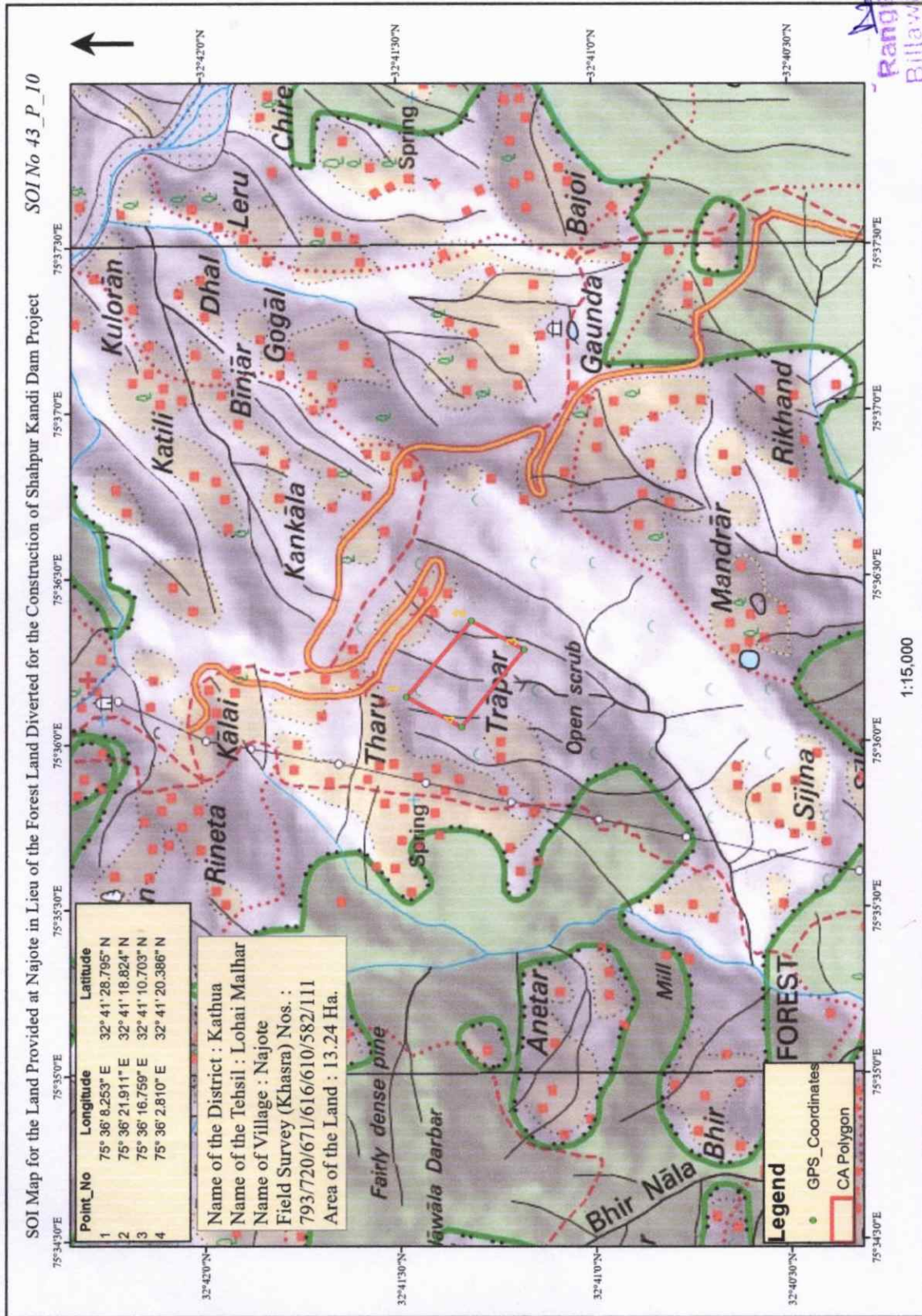
(Abid Khan)

Under Secretary to the Government

PS

Abid Khan
20/3/2024





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Range Forest Officer
Bailwar Forest Range
Bailwar

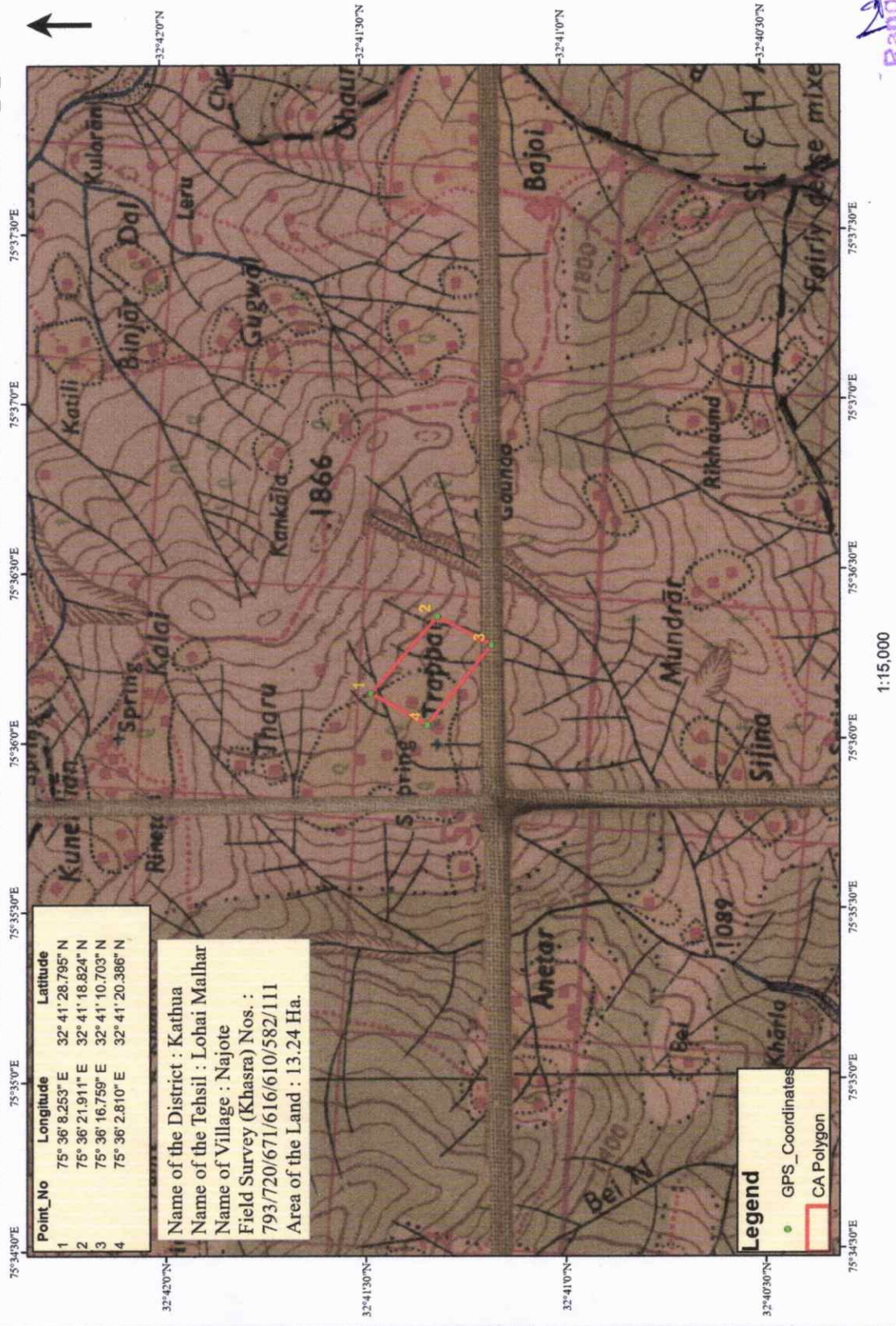
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Bailwar Forest Division
Bailwar

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Divisional Forest Officer
Photo Interpretation Division
Jammu/Srinagar

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Tehsildar
Lohai Malhar
H.O. Machhadi

SOI No 43_P_10

SOI Map for the Land Provided at Najote in Lieu of the Forest Land Diverted for the Construction of Shahpur Kandi Dam Project



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Lohai Malhar
H.Q. Machhad

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English Draft T-2

**OFFICE OF THE CHIEF ENGINEER/ DAMS,
WATER RESOURCES DEPARTMENT, PUNJAB, SHAHPURKANDI TOWNSHIP.**

No. 1529-31 /SPK-161 (J&K)

Dated 29 /12/2020.

To

The Pr. Chief Conservator of Forests & HoFF,
Jammu & Kashmir Forest Department
Govt. of Jammu & Kashmir,
Jammu.

Sub:-

Proposal for seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 for non-forest use of 13.24 Ha of forest land in favour of Executive Engineer Shahpurkandi Dam Division No.II Shahpurkandi Township for construction of Shahpurkandi Dam Division No. II Punjab, Shahpurkandi Township, under Kathua Wildlife Forest Division of the UT J&K


Ref:-

Your office letter No. PCCF/FCA/85/3321-25 dated 27-11-2020

The reply to the observations raised on the above mentioned proposal by MoEF GOI vide their letter dated 27-11-2020 is submitted as under:-

- 1- The KML files of various proposed forest area as sought is enclosed as Annexure "A".
- 2- D.G.P.S. Map & Survey of India (SOI) Map of 1:50,000 showing the 13.24 Ha of forest area is enclosed as Annexure "B".
- 3- Not pertaining to this department.
- 4- The CAT plan for free drainage of Shahpurkandi Dam project on Ravi River within the boundary of J&K through EIA/EMP consultant is being prepared and shall be submitted for approval by the competent Authority.
- 5- Justification to be provided by Wildlife warden Kathua.
- 6- The list of displacement involved in Shahpurkandi Dam Project is enclosed as Annexure "C".
- 7- CB analysis prepared as per the latest FCA guide lines is enclosed as Annexure "D".

This is for your information and necessary action please.


Executive Engineer/Hq/SPKD,
For Chief Engineer/Dams,
WR Department, Punjab,
Shahpurkandi Township.

Copy/-

- 1- The Superintending Engineer, Shahpurkandi Dam Circle, Shahpurkandi Township.
- 2- Executive Engineer, SPK Dam Power House Divn. No. 2, Shahpurkandi Township w.r.t his letter No. 5070-72/1-W(forest J&K) dated: 04/12/2020.
for information please.

RANJIT SAGAR DAM AND SHAHPURKANDI DAM PROJECT ADMINISTRATION

REHABILITATION & RESETTLEMENT PLAN ADOPTED FOR SHAHPURKANDI DAM PROJECT

1. INTRODUCTION:

1.1 Background

A Bilateral agreement was signed between Punjab and J&K in January, 1979. As per the agreement, construction of Ranjit Sagar Dam (Thein Dam) and Shahpurkandi Dam were to be taken up by Punjab Government. Ranjit Sagar and Shahpurkandi Dam Projects were composite projects and planned to be executed simultaneously. Ranjit Sagar Dam was commissioned in August, 2000 but the construction of Shahpurkandi Dam Project could not be taken up due to certain constraints with the Punjab Government although the land acquisition process for both the projects was started simultaneously. Accordingly, at that time, a common R&R policy had been made applicable for both the projects.

It is also pertinent to mention here that this project had been accorded Environmental Clearance since back in the year 1981 vide ministry of environment letter no. 14/74/80-env dated 18th November, 1981 which was further extended vide letter no. 14/74/80-env dated 22nd December, 1998. MOEF has further revalidated the environmental clearance vide letter no. 5-8(90)/ro(nz)/3156 dated 18 December, 2006. forest clearance was given by conservator of forest (c) vide letter no. 25-0/91-roc dated September 1992. Now only Forest clearance is needed please.

1.2 About the Projects

Ranjit Sagar Dam Project with an installed capacity 600 MW and 160-meter-high earth core cum gravel shell Dam is a gigantic multipurpose river valley project. Project is named after Maharaja Ranjit Singh the renowned ruler of Punjab. Dam is

located in a gorge section near village Thein of J&K and as such it is also known as Thein Dam. It is 24 Km upstream of Madhopur Head Works. Ranjit Sagar Reservoir spreading in an area of 8700 Hectares falls in three states of J&K, Punjab & Himachal Pradesh. Project is an embodiment of interstate relationship. Ranjit Sagar dam project was commissioned in the year 2001.

Shahpurkandi Dam Project (balancing Reservoir of Ranjit Sagar Dam Project) is being constructed on River Ravi, 11 d/s of Ranjit Sagar Dam and 8 km u/s of Madhopur Head Works in Pathankot District of Punjab State. The excess water of the River Ravi at present is going waste through the Madhopur Headworks downstream to Pakistan. Implementation of this project would minimize such wastage of water and also regulate the supplies to Shahpurkandi Hydel channel/ U.B.D.C canal system. With the completion of this project, complete water of river Ravi will be utilized for irrigation as well as power generation of 206MW. The Project has been declared as National Project by Government of India. This project is now on highest priority of Government of India and its progress is being monitored by Central Government regularly.

2. ACTION PLAN:

2.1 Objectives

The rehabilitation of the Oustees of a water resources development project has come to be recognized as an environmental fall-out and it needs to be handled with diligence, sympathy and a good measure of humane consideration backed by a broad-minded Government policy. Accordingly, here being three states involved, every effort was made that the rehabilitation scheme is uniform as far as possible for all the three states of Punjab, J&K and H.P. because any disparity is likely to cause resentment among the Oustees relating to these states.

With a view to form uniform Rehabilitation Policy for the Oustees of Ranjit Sagar Dam Project and Shahpurkandi Dam Project, Punjab Government constituted a committee headed by the Chief Secretaries of state for Punjab, Jammu & Kashmir and Himachal Pradesh vide Memo No. 1/ 99/ 86/ IPE (2)/ 34910 dated 19.11.1987.

Rehabilitation and Resettlement Plan was approved by Punjab State Rehabilitation Committee during its meeting held on 19th October, 1993 under the Chairmanship of Chief Secretary, Punjab on the basis of then prevailing draft National Policy for Resettlement and Rehabilitation issued by Govt. of India. The policy was circulated vide Deputy Commissioner/ R&R, RSD Project Memo No. 645-57/ DC/ R&R/ Pb./ 93 dated 18th November, 1993 (copy enclosed).

2.2 Components

The major components of the R&R plan are:

- Land Acquisition and Compensation
- Rehabilitation & Resettlement.

3. **LAND ACQUISITION & COMPENSATION:**

The land acquisition and payment of compensation has been carried out in accordance with the then prevailing Land Acquisition Act 1894 and the compensation has been paid.

The enhanced compensation had also been paid as per decision of various Hon'ble Courts.

The year wise detail of land acquired for Shahpurkandi Dam Project falling in Punjab and J&K is as under: -

Sr. No	Year of Acquisition	Land acquired in Acres	Cumulative Land Acquired	Cumulative Percentage of land acquired	Falling in which State	Remarks
1	1991	103.82	103.82	3.28	Punjab	Acquired as per Land Acquisition Act 1894
2	1994	111.19	215.01	6.79	Punjab	-do-
3	1994	756.85	971.86	30.70	J&K	-do-
4	1995	331.02	1302.88	41.16	Punjab	-do-
5	1995	771.10	2073.98	65.51	J&K	-do-
6	1996	768.90	2842.88	89.80	Punjab	-do-
7	1997	23.16	2866.04	90.53	Punjab	-do-

8	1998	256.16	3122.2	98.63	Punjab	-do-
9	1999	4.34	3126.54	98.76	Punjab	-do-
10	2012 to 2014	5.00	3131.54	98.92	Punjab	3.86 Acre Land Acquired as per Land Acquisition Act 1894 and 1.14 Acre Land Acquired as per Land Acquisition Act of 2013.
12	Land being acquired, which was inadvertently left	34.15 (about 1% of total land)	3165.69	100	Punjab	Acquisition in progress as per The Right to Fair Compensation and Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013
Grand TOTAL		3165.69	Punjab & J&K			

From the above table it reveals that most of the land of Punjab and J&K required for construction of Shahpurkandi Dam Project measuring about 3126.54 Acres falling in 20 villages (17 in Punjab and 3 in Jammu & Kashmir) was acquired during the years 1991 to 1999 which comes to about 98.76% of total land. Only small two patches of 3.86 Acre and 1.14 acre (5 acre) were acquired during 2012 & 2014 respectively. The land measuring 1.14 acre has been acquired as per The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 and all the compensations have been paid to land owners as per provisions laid down in the new act, however, their resettlement and rehabilitation issues have been addressed and settled as per the existing approved R&R Policy, which had been made applicable on 98.76% of the land already acquired for Shahpurkandi Dam project.

4. REHABILITATION & RESETTLEMENT PLAN:

As per the approved policy of the State Government for both the projects, the rehabilitation measures adopted are detailed out briefly as under: -

1. Cut-off date for the purpose of affected families to be decided as Oustees would be taken as per Jamabandi existing on 1.5.1986.

2. Affected families had been paid full compensation for land houses, trees and other structure as per provisions of Land Acquisition Act. An additional lump-sum amount of Rs. 10000/- had been paid to the eligible Oustees, the size of whose acquired houses is upto 300 sq. yards and Rs. 15000/- to those, the size of whose acquired houses is more than 300 Sq. yards. The measurement of the existing house had been considered inclusive of the courtyard within boundary walls.
3. Compensation for the land already acquired in the state had been assessed in accordance to the provisions of Land Acquisition Act, 1894.
4. Compensation for the house and other structures acquired had been assessed on the pattern of Beas Project which had been approved by the Punjab Govt. vide Memo No. 432/5/Planning/75 dated 2.5.1975.
5. Compensation for the ordinary trees had been got evaluated from the State Forest Department and that of fruit trees from the Director, Horticulture Department as per the pattern on Beas Project and approved by the Punjab Govt. vide Memo No. 10935-IW(4)-76 dated 22.12.1976 for Thein Dam Project and paid accordingly.
6. For transportation of house hold, livestock and dismantled material, the Oustees had been allowed charges upto the maximum of two truckloads per family on the production of actual receipt within the same block.
7. If an owner whose part land has been acquired and is left with remaining land as uneconomical unit for the use, and this remaining land is, contiguous to the acquired land, option to surrender the remaining land was given to the land owner and had been settled by Deputy Commissioner (Rehabilitation & Resettlement).
8. For purpose of providing job to the landless and other affected families, preference to one member of per family had been given to the following categories according to his qualification and availability of vacancies on the project: -
 - i) Those whose house & land above 50% of holding has been acquired.
 - ii) Landless Oustees whose houses have been acquired.
 - iii) Those residential families whose only land 75% or above has been acquired.

5 IMPLEMENTATIONS OF R&R PLAN FOR SHAHPURKANDI DAM PROJECT

5.1 Compensation for houses and other structures:

In this regard in order to address the grievances of Oustees, the Punjab Govt. has constituted a Sub-Committee under the chairmanship of Deputy Commissioner, Gurdaspur. This Sub Committee in its meeting held on 10.02.2010 enhance the R&R Grant as under: -

"Rehabilitation and Resettlement Grant: -

- a) A sum of Rs. 50,000/- shall be paid to the eligible Oustees the size of whose acquired house is upto 300 Sq. yard.
- b) A sum of Rs. 75,000/- shall be paid to the eligible Oustees the size of whose acquired house is more than 300 sq. yard."

Compensation of Land, Houses and other Structures, fruit trees and fuel wood etc. has been paid as per award announced by the Land Acquisition Collector. Also, the compensation of land enhanced by various courts has also been paid from time to time alongwith all allied benefits as per provisions of Land Acquisition Act prevailing at that time. In addition, Rehabilitation and Resettlement Grant as per latest approved provisions of R&R policy has also been paid.

5.2 Detail of Employment to affected eligible families

The year wise detail of employment given so far to the affected eligible families of Shahpurkandi Dam Project whose land/ houses/ land & houses had been acquired is as under:

Sr. No	Year	No of families to whom employment given	State
1	2013	73	Punjab
2	2013	6	J&K
3	2014	81	Punjab
4	2015	27	Punjab
5	2016	31	Punjab

6	2017	4	Punjab
7	2018	6	Punjab
8	2019	7	Punjab
9	2019	8	J&K
10	2020	13	J&K
TOTAL		256	Punjab & JK

The process for acquisition of another small patch of land measuring 34.15 Acre (1.06% of the total land), which was left inadvertently, has been initiated as per 'The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013'. All the compensations shall be paid to land owners as per provisions laid down in the new act and the resettlement and rehabilitation issues of the affected families shall also be addressed as per the existing approved R&R Policy, which had been made applicable on 99% of the land already acquired for Shahpurkandi dam project.



Chief Engineer/SPKD
Water Resources, Punjab
Shahpurkandi Township

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May to October: Forest Complex, Shiekh Bagh, Lal Chowk, Sgr- 190001
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**Jammu & Kashmir Forest Department
Office of the Pr. Chief Conservator of Forests & HoFF,
Government of Jammu & Kashmir**

**Chief Engineer,
Water Resources Department Punjab
Shahpurkandi Township**

No. PCCF/FCA/1211/2374-79

Dt: 11 - 10 - 2021

Sub: Catchment Area Treatment (CAT) plan for catchment of Shahpurkandi Dam Project on Ravi River (within the boundary of J&K).

Sir,

The Catchment Area Treatment (CAT) plan for Shahpur Kandi Dam Project prepared by the consultant agency, Society for Promotion and Conservation of Environment (SPACE), Chandigarh was examined by J&K Soil & Water Conservation Department in terms of Chapter 9 of the MoEF & CC Hand Book of Forest (Conservation) Act 1980 and Forest Conservation Rules, 2003 (Guidelines & Clarifications). The observations and suggestions of the Soil & Water Conservation Department were conveyed to the Shahpur Kandi Dam Project vide communication No. PCCF/FCA/2021/1211/1815 dated 04-08-2021.

2. Shahpur Kandi Dam Project submitted its response vide communication No. 5949-50/SPK-112 dated 20-08-2021 forwarding therewith a supplementary report containing replies to the observations of the Soil & Water Conservation Department.

3. To discuss the CAT plan and supplementary report, a meeting under the chairmanship of Pr.CCF (HoFF) was held on 30-09-2021, which was attended by Nodal Officer (FCA); Director Soil & Water Conservation Department; Regional Director, Wildlife Protection Department, Jammu; Executive Engineer, Shahpur Kandi Dam Project; and Dr. S.S. Grewal, Society for Promotion and Conservation of Environment (SPACE), Chandigarh.

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**Jammu & Kashmir Forest Department
Office of the Pr. Chief Conservator of Forests & HoFF,
Government of Jammu & Kashmir**

4. Dr. S.S. Grewal explained the main features of the CAT plan. He stressed that he had personally visited each and every corner of the catchment of the project and made plan according to need of the project site. Based on Silt Yield Index, prioritisation rating of all micro-water sheds of the catchment have been worked out. 27 check dams in the form of silt detention structures have been provided which also have 13 number of gabion check dams. As regards vegetative measures, live hedges and plantation of erosion resistant plant species like Vitex, Arundo donax, Agave, Ipomea and Bamboo have been suggested.

5. Dr. S.S. Grewal also informed that there is only 65 Ha of private agricultural land i.e 3.7% of total area of the catchment. Human and livestock population is limited. Feed, dry forage and fodder needs of the local community are met from their agriculture lands. However, plantation of Napier grass on the field bunds is suggested to augment fodder supply. Nomadic Bakerwal also halt in the catchment for some time, and fodder requirements of their livestock need to be addressed.

6. After detailed discussion, the committee approved the CAT Plan and made following recommendations:

- (I) Cost estimate for engineering structures are as per PWD schedule rate of Punjab Government. This need to be suitably amended as per the PWD schedule rate of J&K Government.
- (II) Plantation of fodder species should be carried out to meet the requirement of livestock of local population as well nomadic graziers.
- (III) J&K Wildlife Protection Department shall ensure that all intervention are in accordance with the approved management plan of Their Conservation Reserve.

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Jammu & Kashmir Forest Department
Office of the Pr. Chief Conservator of Forests & HoFF,
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- (IV) Engineering measures of the CAT Plan shall be implemented by Soil & Water Conservation Department in consultation with J&K Wildlife Protection Department and Shahpur Kandi Dam Project.
- (V) Biological measures shall be executed by J&K Wildlife Protection Department in accordance with the approved Management Plan of Their Conservation Reserve. J&K Wildlife Protection Department may use the funds under CAMPA to undertake various measures including augmentation of fodder supply so as to fulfil conditions stipulated in forest, wildlife and environmental clearance of the project.


(Sarvesh Rai) IFS

Additional Principal Chief Conservator of Forests,
Nodal Officer (FCA)

Copy to:

1. PCCF/Chief Wildlife Warden, Wildlife & Protection Department, Jammu
2. APCCF/Director, Soil & Water Conservation Department, Jammu.
3. Conservator of Forests, East Circle Jammu
4. Dr. S.S. Grewal, Society for Promotion and Conservation of Environment (SPACE) Chandigarh
5. PS to Pr.CCF (HoFF) for kind information of the Pr.CCF (HoFF) J&K.

Address

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Office of the Pr. Chief Conservator of Forests & HoFF,
Government of Jammu & Kashmir**



**Chief Engineer,
Water Resources Department Punjab
Shahpurkandi Township**

No. PCCF/FCA/85-I/5922-27

Dated 10-12-2022

**Sub Amendment to the approval of CAT Plan for for catchment of
Shahpurkandi Dam Project on Ravi River (within the boundary of J&K)**

Sir,

Approval to the CAT Plan for catchment of Shahpurkandi Dam Project on Ravi River (within the boundary of J&K) was accorded vide communication No. PCCF/FCA/1211/2374-79 dated 11-10-2021, wherein Soil & Water Conservation Department was authorized for implementation of engineering measures of the CAT Plan in consultation with J&K Wildlife Protection Department and Shahpur Kandi Dam Project;

Whereas Pr.CCF (Wildlife)/Chief Wildlife Warden J&K vide communication No. WLP/Plan/2022-23/2364-65 dated 25-11-2022 has intimated that Department of Wildlife Protection is having engineering and the department can very well execute the engineering works with respect to said CAT Plan under the supervision of Regional Wildlife Warden and Wildlife Warden. The Pr.CCF (Wildlife)/Chief Wildlife Warden, J&K recommended that Department of Wildlife Protection may be allowed to execute the engineering works of the CAT Plan in place of Soil & Water Conservation Department;

Further, the whole area of said CAT Plan falls inside Their Wildlife Conservation Reserve.

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**Jammu & Kashmir Forest Department
Office of the Pr. Chief Conservator of Forests & HoFF,
Government of Jammu & Kashmir**



In view of the above and as recommended by Pr.CCF (Wildlife)/Chief Wildlife Warden, the clause IV of the approved CAT Plan is amended as under:

“Engineering measures of the CAT Plan shall be implemented J&K Wildlife Protection Department in consultation with Shahpur Kandi Dam Project”

All other conditions of the approved CAT Plan shall remain the same.

(Issued with the approval of the Pr.CCF & HoFF, J&K)

**(S.Senthil Kumar) IFS
Chief Conservator of Forests
Nodal Officer (FCA)**

Copy to:

1. PCCF/Chief Wildlife Warden, Wildlife & Protection Department, J&K, Jammu.
2. APCCF/Director, Soil & Water Conservation Department, Jammu.
3. Conservator of Forests, East Circle Jammu.
4. Dr.S.S. Grewal, Society for Promotion and Conservation of Environment (SPACE) Chandigarh.
5. PS to Pr.CCF (HoFF) for kind information of the Pr.CCF(HoFF) J&K.

Compliance Report

The compliance to the conditions made by Ministry of Environment, Forest and Climate change, Forest Conservation Division, Government of India is done by us for construction of Shahpurkandi dam and report is hereby submitted as under: -

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department and compliance is to be submitted prior to Stage-II approval:

- i. We had deposited the payment of NPV amounting to Rs. 3,35,59,560/- vide UTR number UBIN0903710 dated 08/09/2021 into Campa account of the department.
- ii. We had deposited the payment of cost of raising and maintaining the compensatory afforestation amounting to Rs. 23,20,000/- vide UTR number UBIN0903710 dated 08/09/2021 into Campa account of the department.
- iii. We had deposited the payment of cost of felling of trees amounting to Rs. 40,27,963/- vide UTR number RBI239130816303 dated 08/09/2021 into account of the concerned department.
- iv. The land identified for the purpose of CA has been clearly depicted on a Survey of India topo sheet.
- v. The non-forest land proposed for CA has already been transferred and mutated in the name of Forest Department. The Forest Department has notified this land as Reserved Forest. A copy of the original notification declaring the non-forest land is hereby submitted.
- vi. The copy of R & R plan has been submitted to The Principal Chief Conservator of Forests & HoFF, Government of Jammu & Kashmir vide letter number 9529-31/SPK-161 (J&K) dated 29/12/2020.
- vii. We had prepared the Catchment Treatment Plan (CAT) which is approved by the office of The Principal Chief Conservator of Forests & HoFF, Government of Jammu & Kashmir vide letter number PCCF/FCA/1211/2374-79 dated 11/10/2021. The amount of Rs. 3,30,25,341/- has been deposited online vide UTR number UTIBR52023022200351262/4115 dated 22/02/2023.
- viii. All the required funds have been online deposited as mentioned above.
- ix. The complete compliance report has been prepared and uploaded on e-portal (parivesh.nic.in).
- x. The FRA certificate has been issued by The Deputy Commissioner, Kathua vide letter number DCK/SK/2022-23/3112-13 dated 21/05/2022.
- xi. We had not violated any above mentioned conditions.



Executive Engineer,
SPK Dam Reservoir Division,
Shahpurkandi Township.



Government of Jammu and Kashmir
OFFICE OF THE DEPUTY COMMISSIONER KATHUA

To Whom It May Concern

Subject: Obtaining Wildlife clearance/Forest clearance for Shahpur Kandi Dam Project (J&K).

This is in reference to the Executive Engineer Shahpur Kandi Dam Reservoir Division, Shahpur Kandi Township communication No. 505/IW/Forest dated 12-04-2022 and in compliance with 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 Rights) Act, 2006 (FRA,) on the forest land proposed to be diverted for non-forest purposes, it is certified that 13.24 hectares of forest land is proposed to be diverted in favour of **Shahpur Kandi Dam Project (J&K)**, in District Kathua. Detail of the project is detailed below:

S. No.	Name of the Project	Forest land proposed to be diverted for Shahpur Kandi Dam Project (In Ha.)
1.	Shahpur Kandi Dam Project	13.24

It is further certified that:

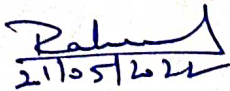
- The complete process for identification and settlement of rights under the FRA has been carried out for the entire of 13.24 Hectares of forest area proposed for diversion as per MoEF letter No. F.No. 11-9/98-FC (pt), Dated: 8th Aug. 2009 for use of which is proposed to be diverted.
- Block Development Officer Keerian Gandyal Head Quarter Lakhanpur vide his office letter No. BDO/L/22-23/153-59 dated 02-

05-2022 reported that FRA claims in the Panchayat have been settled and no more claims are left for settlement in the Panchayat including the area where the construction of Shahpur Kandi Township is in process. Hence, Panchayat has no objection for the Project mentioned above. The complete deliberation are enclosed herewith.

- (c) Divisional Forest Officer Division Kathua vide his office letter No. KFD/2022-23/801 dated 20-05-2022 reported that 20 FRA claims for verification under Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in respect of Basantpur Gram Panchayat have been received by FRC Basantpur. After Joint verification and scrutiny of documents by the concerned FRC members, Forest and Revenue staff, all the 20 claims were found ineligible and have been rejected at the level of the Gram Panchayat, Basantpur and no further claim has been received by the said Gram Panchayat till date.
- (d) WildLife Warden Kathua vide his office letter No. WLW/K/2022/324-28 dated 19-05-2022 reported that his office has not received any application/claims under Forest Rights Act till date with respect to the areas of Panchayat Basantpur, Thein and Domar falling under Thein Construction Reserve.
- (e) Tehsildar Kathua his office letter No. K/OQ/2022-23/65 dated 05-05-2022 reported that the issue pertaining to Forest Right Claims has been settled along with PRIs and no claim was pending. So far as issue of Shahpur Kandi Project is concerned no forest land is coming under the said project.

Keeping in view the above narrated facts, accordingly Forest Rights Act certificate is hereby issued for forest land measuring 13.24 Ha. required for the construction of Shahpur Kandi Dam project-, in District Kathua.

No.: DCK/SQ/2022-23/3112-13
Dated: 21-05-2022


(Rahul Pandey) IAS
Deputy Commissioner
Kathua

Copy to the:

1. Assistant Commissioner (Rev) for favour of information.
2. Executive Engineer, SPK Dam Reservoir Division, Shahpur Kandi Township for information.

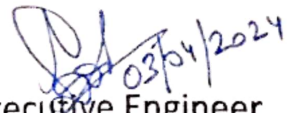
UNDERTAKING

We are hereby pleased to give undertaking that we will comply the following conditions which need to be complied on the field after handing over of forest land to Dam authorities: -

- i) Legal status of the diverted forest land shall remain unchanged;
- ii) The felling of trees shall be restricted to FRL - 4 meter only and felling of trees shall be carried out by the State Forest Department. Number of trees to be removed shall be kept at barest minimum during the execution of the project;
- iii) Forest land will be handed over only after required non-forest land for the project is handed over to the user agency;
- iv) The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- v) Compensatory afforestation shall be taken up by the Forest Department on equivalent non-forest land i.e. 13.24 Ha (at villages in Billawar Forest Division) at the cost of the User Agency. A mixture of indigenous species will be planted and monoculture has to be avoided.
- vi) The catchment Area Treatment Plan (CAT) shall be implemented as per approved scheme;
- vii) User agency shall undertake afforestation along the periphery of the reservoir;
- viii) At the time of the payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- ix) The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- x) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xi) No labour camp shall be established on the forest land;
- xii) Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;

- xiii) 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.
- xiv) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xv) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- xvi) The forest land shall not be used for any purpose other than that specified in the project proposal;
- xvii) No damage to the flora and fauna of the adjoining area shall be cause;
- xviii) The layout plan of the proposal shall not be changed without the prior approval of the Central government;
- xix) The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xx) User agency shall provide free water for forestry related activities/projects.
- xxi) The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- xxii) The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court order(s) and NGT Order(s) pertaining with this project, if any, for the time being in force, as applicable to the project.

Yours Sincerely,


Executive Engineer,
SPK Dam Reservoir Division,
Shahpurkandi Township.
