

Office Address

Srinagar Office : Forest Complex, Shiekh Bagh, Phone: 0194-2483937

Lal Chowk, Sgr-190001

Jammu Office : Forest Resource Mgmt. Centre, Phone: 0191-3511909
Narwal Jammu-180006



URL Address: www.jkforest.gov.in

E-mail: pccfjkforest@gmail.com



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



**The Pr. Secretary to Government,
Department of Forests, Ecology and Environment,
Civil Secretariat, Jammu/Srinagar**

No. PCCF/FCA/3459/ **3486-88**

Dated **21-07-2023**

Sub: Use of 0.97 ha of forest land for laying of underground optical fiber cable on Machedi-Thall-Bhullari in Billawar Forest Division (Proposal No. FP/JK/OFC/151348/2022).

Ref: Administrative Department's communication No. FST-LandOFC/45/2022-02 dated 21-07-2022.

Sir,

Kindly find enclosed herewith the compliance report submitted by Conservator of Forests, East Circle Jammu vide No. 66-67/FCA/CFE/J dated 20-04-2023 of the terms and conditions of Stage-I approval accorded vide above referred communication. The confirmation regarding uploading of KML file on e-green watch portal has been submitted by DFO Billawar vide No. DFO/BLR/118-19 dated 12-04-2023.

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)**

21/7/23

Copy to:

1. Conservator of Forests, East Circle Jammu
2. Divisional Forest Officer, Billawar Forest Division.



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Jammu & Kashmir Forest Department
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UNDERTAKING


Sub: Use of 0.97 ha of forest land for laying of underground optical fiber cable on Machedi-Thall-Bhullari in Billawar Forest Division (Proposal No. FP/JK/OFC/151348/2022).

Ref: Administrative Department's communication No. FST-LandOFC/45/2022-02 dated 21-07-2022

The CEO J&K CAMPA hereby undertakes that the money from the State Fund shall be released to Divisional Forest Officer as per approved CA scheme with respect to the following proposal:

"Use of 0.97 ha of forest land for laying of underground optical fiber cable on Machedi-Thall-Bhullari in Billawar Forest Division"

No. Deef/CAMPA/1947
Dt. 21.07.2023


(Sarvesh Rai) IFS
Principal Chief Conservator of Forests,
CEO (CAMPA)

Divisional Forest Officer
Forest Division Billawar.

Letter No -VTL/IP1/FCA/2302/23
Dated :- 22-02-2023

Subject - COMPLAINTS OF STAGE -I CONDITIONS OF FOREST PROPOSAL NO. FP/JK/OFC/151348/2022 FOR USE OF 0.97 Ha OF FOREST LAND FOR LAYING OF UNDERGROUND OPTICAL FIBER CABLE ON MACHEDI-THALL-BHULLARIIN BILLAWAR FOREST DIVISION.

1. The above project is proposed for laying of optical fiber to provide mobile /4G network connectivity to far flung area of District Kathua.

A) Conditions which need to be complied prior to handing over of forest land by the J&K Forest Department as under :-

S.No	Conditions for Compliances as per Government order No . FST-Land OFC/45/2022-02 Dated 21-07-2022	Compliance by User Agency, Vindhya Telelinks Ltd.
i	Cost of compensatory afforestation as per scheme may be realized from the user agency	We hereby agree to abide by this condition
ii	Net present value (NPV) of the forest land being diverted for non-forestry purpose may be realized from the user agency, as per order of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008 and 09.05.2008 in IA No .566 in WP(C)No.202/1995 and as per the guidelines issued by the Ministry vide letter No.5-3/2011-FC(Vol-I) dated 6 th january ,2022 in this regards	The user agency has agreed
iii	Additional amount of 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 of the user Agency shall furnish an undertaking to this effect.	The user agency has agreed
iv	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.niv.in	The user agency has agreed
v	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;	It is certifies that ,an amount of Rs 4,37,000/- being the cost of CA has been transferred to CAMPA account through e-portal on dated 31-07-2022 (copy enclosed)



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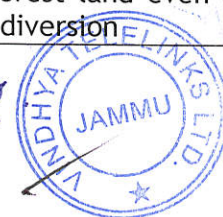
ISO 9001:2015
ISO 14001:2015
ISO 45001:2018

vi	The cost of extraction shall be paid by the user agency to the agency executing the extraction (J&K Forest Department/ J&K Forest Department Corporation /any other, as applicable) ;	We hereby agree to abide by this condition
vii	Original copy of FRA certificate to be submitted ;	The complete compliance of the FRA, Act 2006 has been carryout and prescribed certificate has been obtained from the concerned district collector (copy enclosed)
viii	Divisional Forest Officer shall furnish undertaking that the agency approved CA sites will not be changed without the approval of the Competent Authority.	Not applicable
ix	The CEO State CAMPA shall furnish undertaking that the funds under State CAMPA will be released to Divisional Forest Officer as per approved CA scheme.	Not applicable
x	The KML files of the area to be diverted, the CA areas, the proposed SMC work, the proposed catchment Area Treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details before issuing working permission towards linear projects or submitting compliance reports for seeking Stage -II approval, as the case may be.	Not applicable
xi	No permanent construction of the building is permitted at the sites.	The user agency has agreed
xii	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per law.	The user agency has agreed

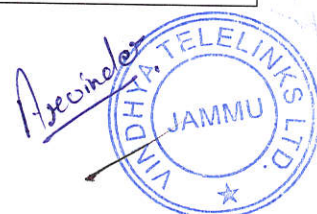
B) Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the J&K Forest Department but the compliance in form of undertaking shall be submitted prior to Stage -II approval.

S.No	Conditions for Compliances as per Government order No . FST-Land OFC/45/2022-02 Dated 21-07-2022	Compliance by User Agency, Vindhya Telelinks Ltd.
i	Legal status of the forest land shall remain unchanged	The status of the forest land will not be unchanged and continues as forest land even after the diversion

Axwinder



ii	Efforts should be made to fell minimum number of trees	The user agency has agreed
iii	The CA will be carried out on degraded forest land as per the CA scheme and the funds will be provided by the user agency. The plantation of 1000 trees per ha(or proportionately less if forest area diverted is less than 01 Ha) will be done within one year from the date of issue of approval	The user agency has agreed
iv	The layout plan of the proposal shall not be changed without prior approval of Central Government	The user agency has agreed
v	No labour camp shall be established on the forest land	We hereby agree to abide by this condition
vi	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	We hereby agree to abide by this and follow the direction, strictly.
vii	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work	We hereby agree to abide by this and follow the direction, strictly
viii	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;	The user agency has agreed
ix	The forest land shall not be used for any purpose other than that specified in the project proposal	The diverted area will be exclusively for the purpose for which it is granted
X	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;	The forest land proposed to be diverted will not be transferred to any other agency, department or person without prior approval of Govt. Of India
xi	The user agency shall abide by the procedures as per the Telecom Guidelines/Policy etc. In force , regarding installation of over ground infrastructure on forest land	The user agency has agreed
xii	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	The user agency has agreed
Xiii	The OFC cable shall be laid down in a trench not more than 2 meter in depth & 1 meter in width and after laying of the OFC, the ground will be suitable will be suitable levelled and reclaimed	We hereby agree to abide by this and follow the direction, strictly



xiv	The User Agency shall construct retaining walls /breast walls /rains water drainage on forest land and take all necessary steps to check soil erosion which may result due to proposed work	We hereby agree to abide by this and follow the direction, strictly
xv	Any damage done to the forest by the User Agency or its contractors shall be charged from 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	The user agency has agreed
xvi	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	The user agency has agreed
xvii	Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife	The User agency has agreed

In views of the above, It is requested to accord the formal approval stage -II in favour of User Agency.

For
Vindhya Telelinks Ltd.



Authorised Signatory
(Arvinder Pal Singh)

Copy to :-

1. APCCF/Cheif Conservator of Forest , jammu
2. Nodal Officer J&K (FCA)



Government of Jammu and Kashmir
OFFICE OF THE DEPUTY COMMISSIONER KATHUA

To Whom It May Concern

Subject: Diversion of 1 Ha. Forest Land for laying of Optical Fiber cable on Forest Division Billawar, Development of Tele-Communication network by laying of optical fiber cable to provide 4G Network connectivity.

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 read with MoEF's letter dated: 5th February 2013 wherein MoEF issued certain exemption/relaxation in respect of linear projects, it is certified that 0.97 hectares of forest land is proposed to be diverted in favour of **Laying of underground Optical Fiber Cable on Machedi Thall-Bhullari -**, in District Kathua. Detail of the roads/projects is given below:

S. No.	Name of the road	Forest land proposed to be diverted for Laying Optical Fiber Cable(in Ha.)	Proposal No.
1.	Laying of underground Optical Fiber Cable on Machedi Thall-Bhullari	0.97	FP/JK/OFC/151348/2022

It is further certified that:

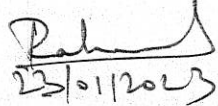
- (a) The complete process for identification and settlement of rights under the FRA has been carried out for the entire of 0.97 Hectares of forest area proposed for diversion. As per MoEF letter No. F.No. 11-9/98-FC (pt), Dated: 5th Feb. 2013 for linear projects like construction of roads, there is no requirement of resolution (meeting/consent) of Gram Sabha of that area for forest land, use of which is proposed to be diverted. Hence, no such records of all consultations and meetings of the Forest Right Committee(s) Gram Sabha(s), Sub-Division Level Committee(s) and the District Level Committee are enclosed.

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- (b) Additional Deputy Commissioner, Billaوار vide his office letter No. ADC/Blr/2022-23/1600-03 dated 26/08/2022 reported that there is no pendency of any FRA claim in the Revenue village viz Machhedi, Badnota, Thall, Malhar & Malad falling in the project area.
- (c) Sub Divisional Magistrate, Bani vide his office letter No. SDM/B/2022-23/288 dated 27-09-2022 submitted that no forest right claim is pending in Patwar Halquas Duggan, Dullangal and Dhagger of Tehsil Bani.

Hence, Forest Rights Act certificate is issued for forest land measuring 0.97 Ha. required for laying of Optical Fiber Cable on Forest Division Billaوار, in District Kathua.

No.: DCK/SQ/2022-23/ 8628
Dated: 23 -01-2023


(Rahul Pandey) IAS
Deputy Commissioner
Kathua

Copy to the:

1. Vindhya Telelinks Ltd, EPC Division 2nd Floor Indra theater Building Canal Road, Opp. Circuit House Jammu. This is reference to your office letter No. VTL/IP1/ROW/FRA/21-02/22 dated 09-02-2022

PAYMENT ADVICE
VINDHYA TELELINKS LIMITED 296
2ND FLOOR COMMERCIAL PLAZA NH8
RADISSON BLU PLAZA MAHIPALPUR
NEW DELHI
110037

Beneficiary's Name : J K CAMPA

Beneficiary's Code :

Beneficiary's Address :

Client Ref No : 413009

Date : 02/08/2022

Bank Reference No : N214222061790744

We have initiated a credit to the Account Number 1507171151348918 for the amount of Rs.437000 through NEFT for the below mentioned details.

IFC Code : UBIN0996335

Micr Code :

Beneficiary Bank Name :

Beneficiary Brn Name :

Payment Details 1 :

Payment Details 2 :

Payment Details 3 :

Payment Details 4 :

Payment Details 5 :

Payment Details 6 :

Payment Details 7 :

This is Computer generated advice. Does not require any signature.

AGENCY COPY

यूनियन बैंक Union Bank of India



NEFT / RTGS CHALLAN for CAMPA Funds

Date : 31-07-2022

Agency Name.	VINDHYA TELELINKS LTD
Application No.	71151348918
MoEF/SG File No.	FST-LAND0FC/45/2022-02
Location.	J AND K
Address.	2nd floor Indira theater Opp Circuit House canal road jammuJammu
Amount(in Rs)	437000/-

Amount in Words :Four Lakh Thirty-Seven Thousand Rupees Only

NEFT/RTGS to be made as per following details;

Beneficiary Name:	J AND K CAMPA
IFSC Code:	UBIN0996335
Pay to Account No.	1507171151348918 Valid only for this challan amount.
Bank Name & Address:	Union Bank Of India Lodhi Complex Branch, Block 11,CGO Complex, Phase I, Lodhi Road, New Delhi -110003

- This Challan is strictly to be used for making payment to CAMPA by NEFT/RTGS only

BANK COPY

यूनियन बैंक Union Bank of India



NEFT / RTGS CHALLAN for CAMPA Funds

Date : 31-07-2022

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After making successful payment, User Agencies may send a line of confirmation through
Email: helpdeskcampa@corpbank.co.in

Note:After making the required payment through challan, if the payment status has not been updated even after 7 working days, then kindly mail a copy of your challan with transaction date to
Email: cb0371@unionbankofindia.com

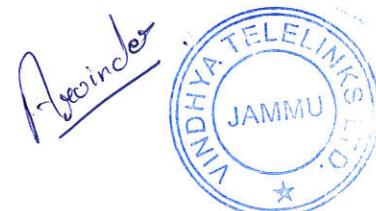
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Back

UNDERTAKING PRIOR TO STAGE -II

Vindhya Telelinks Limited , the user agency hereby undertake to abide that the following term and conditions for use of 0.97 Ha. of forest land for laying of undrground optical fiber cable on Machedi-Thall-Bhullari in Billawar Forest Division.

S.No	Undertaking of the Conditions for Compliances as per Goverment order No . FST-Land OFC/45/2022-02 Dated 21-07-2022 ,
i	Legal status of the forest land shall remain unchanged
ii	Efforts should be made to fell minimum number of trees
iii	The CA will be carried out on degraded forest land as per the CA scheme and the funds will be provided by the user agency. The plantation of 1000 trees per ha(or proportionately less if forest area diverted is less than 01 Ha) will be done within one year from the date of issue of approval
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ix	The forest land shall not be used for any purpose other than that specified in the project proposal
X	The forest land proposed to be diverted shall under no circumstances to transferred to any other agencies, department or person without prior approval of Govt. Of India;



xi	The user agency shall abide by the procedures as per the Telecom Guidelines/Policy etc. In force , regarding installation of over ground infrastructure on forest land
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xvi	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
xvii	Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife

Recd. Jammu
Dated :- 15-March-2023.

For
Vindhya Telelinks Ltd.
Arvinder Pal Singh
Authorised Signatory
(Arvinder Pal Singh)



Copy to :-

1. APCCF/Cheif Conservator of Forest , jammu
2. Nodal Officer J&K (FCA)

