

No.: NHIDCL/PMU-AKH/PKG-IIIB/Forest/2022-23/ **832**

07 Dec'2022

Divisional Forest Officer

Jammu Forest Division

Jammu, J&K.

Sub: Diversion of 0.349 ha Forest land for Up-gradation to 4-lane with Paved Shoulder of Jammu-Akhnoor road section of NH-144A from Thathi Chowk (Km 26.350) to Hanuman Chowk (Km 30.097) in the UT of Jammu and Kashmir on EPC basis (Package-IIIB) -(Online Proposal No. FP/JK/ROAD/152548/2022): Compliance of In-Principal Approval (Stage-I) reg.

Dear Sir,

1. Kind Ref.: Govt. of India, MoEF&CC, Integrated Regional Office, Jammu's File No: 9-JKA-033/2022-Jammu, dated 31.08.2022.
2. Kindly refer the subject and letter under reference. Govt. of India, Ministry of Environment, Forests and Climate Change, Integrated Regional Office, Jammu vide their File No: 9-JKA-033/2022-Jammu, dated 31.08.2022 has accorded the In-principal approval (stage-I FC) for diversion of 0.349 ha forest land with the conditions mentioned below. Para-wise compliance of the conditions in the In-principal approval is being submitted for grant of final forest clearance as below:

S. no.	Conditions Stipulated by MoEF&CC, IRO Jammu vide letter dated 31.08.2022	Compliance made by the User Agency i.e., NHIDCL, (MoRT&H)
(i)	Legal status of the forest land will remain unchanged	Agreed
(ii)	Cost of compensatory afforestation (CA) as per CA scheme may be realized from User Agency. The CA will be maintained for 10 years.	Agreed
(iii)	The State Government shall charge the Net Present Value (NPV) of the forest land being diverted for non-forestry purpose from the User Agency, as per the orders of the Hon'ble Supreme Court of India dated 30.10.2002, 01.08.2003, 28.03.2008, 24.04.2008 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 6th January, 2022 in this regard.	With the confirmation of Nodal Officer (FCA), an amount of ₹ 9,30,104.00 including ₹ 4,51,204.00 for NPV charges has been deposited in state CAMPA fund through Challan generated online dated 20.09.2022 on the Parivesh Portal on (copy enclosed). The payment confirmation has been realized and reflected on the Parivesh Portal.
(iv)	User agency shall deposit/transfer all the funds (Cost of CA, NPV etc) to CAMPA fund of the Ministry of Environment, Forest and climate change through e-portal (https://parivesh.nic.in).	With the confirmation of Nodal Officer (FCA), an amount of ₹ 9,30,104.00 for CA, NPV etc. charges has been deposited in state CAMPA fund through Challan generated online dated 20.09.2022 on the Parivesh Portal on (copy enclosed). The payment confirmation has been realized and reflected on the Parivesh Portal.
(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.	An amount of ₹ 9,30,104.00 for the compensatory levies (CA cost, NPV etc.) has been deposited in state CAMPA fund through challan generated online dated 20.09.2022 on the Parivesh Portal on (copy enclosed).
(vi)	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	FRA Certificate in original attached.

[Handwritten signature and date]
07/12/22

(vii)	Divisional Forest Officer shall furnish undertaking that the approved CA site(s) will not be changed without the approval of competent authority.	Pertains to DFO
viii)	CEO State CAMPA shall furnish undertaking that the funds under state/UT CAMPA will be released to Divisional Forest Officer as per approved CA scheme.	Pertains to the CEO, State CAMPA Authority.
ix)	The complete compliance shall be uploaded on e-portal (https://parivesh.nic.in).	The complete compliance has been uploaded on e-portal.

(B) Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State/UT Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

(i)	Efforts should be made to fell minimum number of trees and in any case not more than 09 trees only shall be felled. Any felling shall only be done under the strict supervision of State Forest Department after issuance of felling permission from concerned DFO and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.	Agreed
(ii)	The UT Govt shall upload the KML files of the degraded forest area accepted for raising compensatory afforestation as well as the forest area proposed for diversion in the extant proposal in the E-Green watch portal of the Forest Survey of India	Agreed
(iii)	Compensatory afforestation will be carried out over Degraded Forest land (DFL) upon 1 ha of land in Comp No. 18/K, of village Tungi, morh, Tehsil-Akhnoor, District Jammu, as per proposed CA scheme, at a cost of ₹ 4,78,900/- (Four lakhs seventy-eight thousand nine hundred only) provided by the user agency.	Agreed
(iv)	The layout plan of the proposal shall not be changed without prior approval of Central Government.	Agreed
(v)	The forest land shall not be used for any purpose other than that specified in the project proposal.	Agreed
(vi)	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department, or person without approval of the Ministry of Environment, Forest and Climate Change.	Agreed
(vii)	No labour camp shall be established on the forest land.	Agreed
(viii)	Sufficient firewood, preferably by 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.	Agreed
(ix)	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.	Agreed
(x)	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.	Agreed
(xi)	The User Agency shall pay additional amount of NPV as and when increased by the orders of Hon'ble Supreme Court.	Agreed

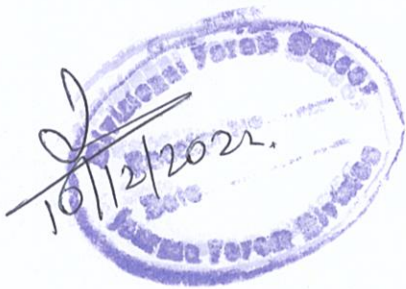
(xii)	The User agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.	Agreed
(xiii)	No muck shall be dumped in the forest land in context of the undertaking given by User Agency.	Agreed
xiv)	The User Agency shall raise strip plantation on both sides and central verge of the road as per IRC norms.	Agreed
xv)	Speed regulating signage will be erected along the road at regular intervals in the Forest Areas.	Agreed
xvi)	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per provision under 1.21 of the Handbook of Forest (conservation) Act, 1980 and Forest Conservation Rules, 2003 (Guideline & Clarification), 2019, MoEF&CC.	Agreed
xvii)	Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forests and wildlife.	Agreed
xviii)	The Ministry of Environment, Forest and Climate Change may revoke/ suspend the clearance, if implementation of any of the above conditions is not satisfactory. The State government will ensure compliance of these conditions through Forest Department.	Agreed

3. In view of above, it is requested to please take necessary action at your end for grant of final Forest Clearance (Stage-II) to the project at the earliest so that the project implementation could be commenced. This would ensure timely completion of the project.


 (S. P. S. Sangwan)
 General Manager (P),
 NHIDCL, PMU-Akhnoor

Copy to:

1. The Executive Director (P), NHIDCL, RO-Jammu for information please.
2. The Nodal Officer (FCA), U.T. of Jammu & Kashmir, Van Bhawan, near Gummat, Jammu, UT of Jammu Kashmir (ccffcajk1@gmail.com).
3. Office Copy.



Order No: NHIDCL/RO-Jammu/San/2021-22

Dated: 29.09.2022

National Highways & Infrastructure Development Corporation Ltd

Regional Office Jammu

(A Public Sector Undertaking, under the Ministry of Road Transport and Highways, Govt. of India)

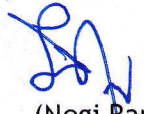
House No. 261, Sector 6, Channi Himmat, Jammu-180015

Sanction Order

Subject: Up-gradation to 4-lane with paved shoulder of Jammu-Akhnoor section of NH-144A from Thati Chowk (Km 26.350) to Hanuman Chowk (Km 30.097) of 3.744 Km length in the UT of Jammu & Kashmir to be executed on EPC basis (Pkg-III B)- **Deposition of amount in CAMPA for Compensators Afforestation-reg.**

I am directed to convey the approval of Competent Authority for expenditure and release of an amount of **Rs. 9,30,104/-** (Rupees Nine Lakh Thirty Thousand One Hundred and Four Only) towards deposition of Compensators Afforestation for the work cited in the subject.

2. The expenditure is debitable to the NH(O) Head of the Project account in NHIDCL for the financial year 2022-23.
3. The amount of **Rs. 9,30,104/-** (Rupees Nine Lakh Thirty Thousand One Hundred and Four Only) has been drawn by finance division NHIDCL RO-Jammu and disbursed through NEFT/RTGS NO. CNRBR52022100190912646 in favour of J&K CAMPA. in their Account through online challan.
4. This issue with the approval of competent authority dated: 29.09.2022.


(Negi Ram)
Manager (Finance)

AGENCY COPY



NEFT / RTGS CHALLAN for CAMPA Funds

Date : 20-09-2022

Agency Name.	NHIDCL_JAMMU
Application No.	61152548911
MoEF/SG File No.	9-JKA-033/2022-JAMMU
Location.	J AND K
Address.	Sangam City, Near JK Hatchery Jammu
Amount(In Rs)	930104/-

Amount in Words : Nine Lakh Thirty Thousand One Hundred and Four Rupees Only

NEFT/RTGS to be made as per following details;

Beneficiary Name:	J AND K CAMPA
IFSC Code:	UBIN0996335
Pay to Account No.	1507161152548911 Valid only for this challan amount.
Bank Name & Address:	Union Bank Of India FCS Centre, 21/1, III Floor, Jelitta Towers, Mission Road, Bengaluru-560027

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

BANK COPY



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Date : 20-09-2022

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Bank Name & Address:	Union Bank Of India FCS Centre, 21/1, III Floor, Jelitta Towers, Mission Road, Bengaluru-560027

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

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 and reference id to Email: fcsblr@unionbankofindia.bank, epurse@unionbankofindia.bank, ubin0903710@unionbankofindia.bank

Print

Back

CNRBR52022100190912646



Website: <http://jammu.gov.in>
 E-mail: dcofficejammu@gmail.com



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 Fax: +91 191 2546223
 24X7 Helpline: 1077

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE DEPUTY COMMISSIONER JAMMU
Wazarat Road Jammu-180001 (J&K)-India

TO WHOM IT MAY CONCERN

Sub:- Issuance of Forest Right Act (FRA) Certificate for the up gradation to 4 lane with paved shoulder (NH-144A) km 26.350 (Thathi Chowk) to km 30.097 (Hanuman Chowk) of Jammu Akhnoor section in the UT of Jammu and Kashmir.

In compliance with the Ministry of Environment and Forest (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, for short) on the Forest land proposed to be diverted for Non Forest purposes read with MoEF's letter dated 5th January 2013 wherein MoEF issued certain exemption/relaxation in respect of linear projects, it is certified that 0.349 hectares of Forest land is proposed to be diverted in favour of NHIDCL situated in Village Ambaran, Tehsil Akhnoor of District Jammu. The detail of the road/project is given below;

S. No.	Name of the Road	Package No.	Forest land proposed to be diverted for NHIDCL projects (in Ha)
1.	Jammu-Akhnoor	Package-III B	0.349

It is further certified that:

The complete process for identification and settlement of rights under the RA has been carried out for the entire 0.349 hectares of forest area proposed for diversion. As per MoEF letter No. F. No. 11-9/98-FC(9pt) dated 5th Feb. 2013 for liner projects like constructions of roads, there is no requirement of resolution meeting / consent) of Gram Sabha of Panchayat Ambaran area for forest land, use of which is proposed to be diverted. No recognized rights of Primitive Tribal groups (PTG) and Pre-Agriculture committees (PAC) shall be affected in diversion of forest land for non forests use for construction of above mentioned National Highway.

Hence, no such records of all consultations and meetings of the Forest Rights Committee(s) Gram Sabha(s), Sub-Division Level Committee(s) and the District Level Committee are enclosed.

Joint inspection of the above said road has been conducted by the user agency, NHIDCL alongwith concerned Officers / Officials of Forest Engineer, NHIDCL Jammu.

No recognized rights of Primitive Tribal Groups (PTG) and Pre Agricultural Committees (PAC) shall be affected in diversion of forest land for non forest use for construction of above mentioned widening of Jammu Akhnoor road project of NHIDCL Jammu.

Hence, Forest Rights Act certificate is issued for forest land measuring 0.349 hectares required for above mentioned National Highway..


(Avny Lavasa) IAS,
Deputy Commissioner,
Jammu.

No: DCJ/LA/FRC/Ambaran/2022-23/ 817-19

Dated: 03-12-2022

Copy to the:-

- 1) Divisional Commissioner, Jammu for kind information.
- 2) General Manager (P), NHIDCL PMU-Akhnoor for information.
- 3) Divisional Forest Officer, Jammu for information.