

UT OF JAMMU & KASHMIR
OFFICE OF THE EXECUTIVE ENGINEER, PWD (R&B) SPECIAL SUB
DIVISION DODA
e-mail Address: xenrbdoda1@gmail.com Fax No: 01996-234394

The Divisional Forest,
Forest Division Doda.

No. 808

Dated: 13-04-2023

Name of the work: Construction and up-gradation of link road from Bheli lal Draman road Km-4th to 19th in Doda Forest Division, District Doda, UT of Jammu and Kashmir.

Sub: - Compliance of Stage-I of Forest proposal and request for according working permission.

Ref: - (i) Under Sectary to Govt letter No. FST- LAND OFC /89/2022 -02 dated: - 18/11/2022.
(ii) Your office letter No. DFO/D/3954-58 dated: 06/01/2023

With reference to the above cited subject and reference, it is submitted that the proposal for diversion of 0.11 Ha of forest land construction and up-gradation of link road from Bheli lal Draman road Km- 4th to 19th has been accorded the In-principal approval vide Regional Office, Jammu, MOEF vide letter FST- LAND OFC /89/2022 -02 dated: - 18/11/2022.

subject to conditions mentioned below whose compliance has been completed an part of user agency i.e PWD (R&B) Division Doda and same has been detailed para wise below:

(A). Conditions which need to be complied prior to handing over of forest land by the UT Forest Department to the PWD R&B Spl Sub-Division Doda (User Agency):

S.NO	Conditions for compliance as per RO, Jammu MOEF vide Letter dated 18/11/2022	Compliance by User/Indenting Agency i.e PWD R&B Spl Sub-Division Doda (User Agency)
1	Legal Status of land will remain unchanged.	Shall be compiled & Undertaking enclosed as Annexure-B.
2	Cost of compensatory afforestation (CA) as per CA scheme may be realized from user agency, The CA will be maintained for 10 years.	DFO Doda vide referred letter dated 06/01/2023 has raised a demand of NPV from the indenting agency. After acceptance of demand note, the requisite amount has been submitted in the J&K State CAMPA fund through online generated challan on the web portal on 10/03/2023 (copy enclosed). The payment confirmation has been released and reflected on PARIVESH portal (copy enclosed).

	The State Govt. shall charge the Net Present Value (NPV) of the forest land being diverted (0-11 Ha) for non-forestry purpose from the User Agency, as per the order 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 © No. 202/1995 and as per the guidelines issued by the Ministry vide letter No. 5-3/2011-FC(Vol-I) and dated 06/01/2022 in this regard.	DFO Doda vide referred letter dated 06/01/2023 has raised a demand of NPV from the indenting agency. After acceptance of demand note, the requisite amount has been submitted in the J&K State CAMPA fund through online generated challan on the web portal on 10/03/2023 (copy enclosed). The payment confirmation has been released and reflected on PARIVESH portal (copy enclosed).
4	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 (http://parivesh.nic.in).	The requisite amount of ₹ 194773 for Net Present Value (NPV) of Forest Land and all other CA levies has been deposited in the J&K State CAMPA on 09/03/2023 (copy enclosed) through online generated challan on the web portal of Ministry of Environment, Forest and Climate Change (www.parivesh.nic.in). The same is reflected on Parivesh portal as paid.
5	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 Stage-I clearance.	The requisite amount of ₹194773 for Net Present Value (NPV) of Forest Land and all other CA levies has been deposited in the J&K State CAMPA on 09/03/2023 (copy enclosed) through online generated challan on the web portal of Ministry of Environment, Forest and Climate Change (www.parivesh.nic.in). The same is reflected on Parivesh portal as paid.
6	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	Shall be complied.
7	The Complete compliance shall be uploaded on e-portal (www.parivesh.niv.in).	Shall be compiled.

(B). Conditions which needs to be strictly complied 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.


S.No.	Conditions for compliance as per RO, Jammu MOEF vide Letter dated 28/04/2022.	Compliance by User/Indenting Agency i.e PWD R&B Spl Sub-Division Doda (User Agency).
1	Efforts should be made to fell minimum number of trees	Shall be compiled
2	The UT Govt. Shall upload the KML file of the degraded forest area accepted for raising compensatory afforestation as well as forest area proposed for diversion in the extant proposal in the E-Green watch portal of the Forest Survey of India.	Pertains to State Forest Department
3	Compensatory afforestation will be carried out over Degraded Forest land (DFL) upon 0-0.11 Ha of land in comptt. No. 71/SJ Range Siraj in Doda Forest as per proposed CA	Pertains to State Forest Department

	scheme, at a cost of ₹ 47501/(Forty Seven Thousands Five Hundred one Only) provided by the User Agency.	
4	The layout plan of the proposal shall not be changed without prior approval of Central Government.	Shall be compiled & Undertaking enclosed as Annexure-B
5	The Forest land shall not be used for any purpose other than that specified in the project proposal.	Shall be compiled & Undertaking enclosed as Annexure-B
6	The forest land proposed to be diverted shall under no circumstance be transferred to any other agency, department, or person without approval of the Ministry of Environment, Forest and Climate Change.	Shall be compiled & Undertaking enclosed as Annexure-B
7	No labour camp shall be established on the forest land.	Shall be compiled & Undertaking enclosed as Annexure-B
8	Sufficient firewood, preferably by the alternate fuel, shall be provided by the user agency to the labours after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.	Shall be compiled & Undertaking enclosed as Annexure-B
9	The boundary of the diverted forest land shall be suitable demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.	Shall be compiled & Undertaking enclosed as Annexure-B
10	No additional or new path will be constructed inside the forest area for transportation of construction materials for extraction of the project work.	Shall be compiled & Undertaking enclosed as Annexure-B
11	The User Agency shall pay additional amount of NPV as and when increased by the order of Hon;ble Supreme Court.	Shall be compiled & Undertaking enclosed as Annexure-B
12	The User Agency shall obtain Environment Clearance as per the provision of the Environment (Protection) Act 1986, if applicable.	Shall be compiled & Undertaking enclosed as Annexure-B
13	The acquired dumping site should be prepared appropriately as per approved muck disposal plan given in the proposal before start of dumping to prevent downhill side of the muck.	Shall be compiled & Undertaking enclosed as Annexure-B
14	The User Agency shall raise strip plantation on both sides and central verge of the road as per IRC norms.	Shall be compiled & Undertaking enclosed as Annexure-B
15	Speed regulating will be erected along the road at regular intervals in the Forest Areas.	Shall be compiled & Undertaking enclosed as Annexure-B
16	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MOEF&CC Guideline F.No. 11-42/2017-FC dated 29/01/2018.	Shall be compiled.
17	Any other condition that the Ministry of Environment, Forest and Climate Change	Shall be compiled & Undertaking enclosed as Annexure-B

	may stipulate from time in the interest of conservation, protection and development of forest and wildlife.	
18	The Ministry of Environment, Forest and Climate may revoke/suspend the clearance, if implementation of any of the above conditions is not satisfactory. The State Govt. will ensure compliance of these conditions through Forest Department.	Shall be compiled & Undertaking enclosed as Annexure-B

In the view of above, it is request to process for stage-II clearance and accord the working permission and carryout handing taking over of subject forest land parcel to user agency i.e PWD R&B Spl Sub-Division Doda at the earliest so that work on the project site could be commenced. This would ensure timely completion of project.

Yours faithfully,

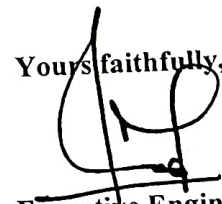

Executive Engineer
PWD R&B Sub-Division
Doda

UNDERTAKING FOR COMPLIANCE TO BE SUBMITTED PRIOR TO STAGE-II
APPROVAL

On behalf of PWD R&B Spl Sub-Division Doda in respect to proposal for diversion of 0.11 Ha of forest land for construction and up-gradation of link road from **Bheli Lal Draman road Km- 4th to 19th** District Doda, UT of Jammu and Kashmir (Proposal No. FP/JK/Road/154278/2022), hereby undertake to comply the below mentioned conditions:

1. That the Legal Status of land will remain unchanged.
2. That the efforts should be made to fell minimum number of trees 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.
3. The layout plan of the proposal shall not be changed without prior approval of Central Government.
4. The Forest land shall not be used for any purpose other than that specified in the project proposal.
5. The forest land proposed to be diverted shall under no circumstance be transferred to any other agency, department, or person without approval of the Ministry of Environment, Forest and Climate Change.
6. No labour camp shall be established on the forest land.
7. Sufficient firewood, preferably by the alternate fuel, shall be provided by the user agency to the labours after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
8. The boundary of the diverted forest land shall be suitable demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
9. No additional or new path will be constructed inside the forest area for transportation of construction materials for extraction of the project work.
10. The User Agency shall pay additional amount of NPV as and when increased by the order of Hon;ble Supreme Court.
11. The User Agency shall obtain Environment Clearance as per the provision of the Environment (Protection) Act 1986, if applicable.
12. The acquired dumping site should be prepared appropriately as per approved muck disposal plan given in the proposal before start of dumping to prevent downhill side of the muck.
13. The User Agency shall raise strip plantation on both sides and central verge of the road as per IRC norms.
14. Speed regulating will be erected along the road at regular intervals in the Forest Areas.
15. Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time in the interest of conservation, protection and development of forest and wildlife.
16. The Ministry of Environment, Forest and Climate may revoke/suspend the clearance, if implementation of any of the above conditions is not satisfactory. The State Govt. will ensure compliance of these conditions through Forest Department.

Yours faithfully,


Executive Engineer
PWD R&B Sub-Division
Doda

GOVERNMENT OF JAMMU & KASHMIR
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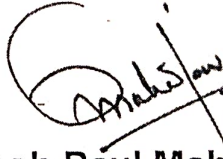
Dated: 24/04/2023.

TO WHOM IT MAY CONCERN

In compliance of the Ministry of Environment and Forest (MoEF), Govt. of India's letter No. 11-9/98-FC (pt.) dated: 03-08-2009 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 letter dated: 05-08-2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that 0.11 hectare of forest land of Forest Division Doda proposed to be diverted in favour of PWD (R&B) for construction of Bhelli Lal Draman Road Km 4th to 19th in District Doda falls within the jurisdiction of Tehsil Doda/Bhagwah. It is further certified that:-

- a) The complete process for identification and settlement of rights under the FRA has been carried out for entire forest land proposed for the above said purpose. A copy of record of Gram Sabha(s), is enclosed as Annexure A.
- b) The diversion of forest land for facilities managed by the Government as required under section 3 (2) of FRA 2006 have been completed and the Gram Sabha has given the consent to it:
- c) The proposed area does not involve recognised rights of Primitive Tribal's Groups and Pre-Agricultural Communities.

Enclosures: As above.


(Vishesh Paul Mahajan) JKAS
Deputy Commissioner/
District Collector
Doda 