

OFFICE OF THE EXECUTIVE ENGINEER JAL SHAKTI (PHE) DIVISION UDHAMPUR

Email, xenpheciviludhampur@gmail.com

Ph. 01992-270793

The Divisional Forest Officer,
Udhampur.

No. JSDU/ 3251

Dated: 17-05-23

Subject: Diversion of 0.187 Ha of forest land for the purpose of Water supply scheme Phalata (NABARD), UT of Jammu & Kashmir (online proposal no. FP/JK/WATER/144892/2021 regarding compliance of stage I.

Ref: Govt. Order No. FST-Land0FC/46/2022-02 dated 21-07-2022

R/Sir,


On the subject matter cited above, compliance report of the terms and conditions laid down in the above Govt. Order No. FST-Land0FC/46/2022-02 dated 21-07-2022 for diversion of **0.187 Ha.** of forest land in Co.14/U, 13b/U and 13a/U under Forest Conservation Act, 1980 is submitted as under:

- A. Condition which need to be complied prior to handing over of forest land by the Forest Department to the Jal Shakti (PHE) Division Udhampur (User Agency).

S. No	Terms and conditions laid down in the Govt. Order No. FST-Land0FC/46/2022-02 dated 21-07-2022	Compliance by user/indenting agency, Jal Shakti (PHE) Division Udhampur
i)	Cost of compensatory afforestation as per scheme may be realized from the user agency;	As per demand note issued by the DFO Udhampur vide No.3112-16/FDU dated 08-08-2022, an amount of Rs.68,489/- for compensatory afforestation has been deposited through the challan generated online on web portal and deposited in the appropriate bank account (Copy of receipt enclosed).
ii)	Net Present Value (NPV) of the forest land being diverted for non-forestry purpose may be realized from the user agency, as per 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 6 th January, 2022 in this regard.	As per demand note issued by the DFO Udhampur vide No.3112-16/FDU dated 08-08-2022, an amount of Rs.47,399/- for Net Present Value (NPV) has been deposited through the challan generated online on web portal and deposited in the appropriate bank account (Copy of receipt enclosed).
iii)	Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	Undertaking enclosed

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S. No	Terms and conditions laid down in the Govt. Order No. FST-Land0FC/46/2022-02 dated 21-07-2022	Compliance by user/indenting agency, Jal Shakti (PHE) Division Udhampur
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.nic.in	As per demand note issued by the DFO Udhampur vide No.3112-16/FDU dated 08-08-2022, Net Present Value (NPV) and all other CA levies amounting to
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-1 clearance;	Rs.1,15,888/- have been deposited through web portal of Ministry of Environment, Forest and Climate Change www.parivesh.nic.in (Copy of receipt enclosed).
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 Development Corporation/any other, as applicable);	Not Applicable.
vii)	Original copy of FRA certificate to be submitted;	FRA Certificate issued by the Deputy Commissioner, Udhampur vide no. DCU/SQ/2023/27 dated 16-05-2023 enclosed in original.
viii)	The pipeline shall be laid down 1.5 meter below the ground and after laying down of pipe line the ground well be leveled.	Agreed and complied with
ix)	Divisional Forest Officer, Udhampur Forest Division shall furnish undertaking that the approved CA sites will not be changed without the approval of the Competent Authority.	Pertains to Forest Department
x)	CEO CAMPA shall furnish undertaking that the funds under State CAMPA will be released to Divisional Forest Officer as per approved CA scheme.	Pertains to Forest Department
xi)	The KML files of the area to be diverted, area accepted for raising CA, proposed SMC works, 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 report for seeking Stage-II approval, as the case may be.	Pertains to Forest Department
xii)	Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per law.	Agreed and complied with


Executive Engineer
Jal Shakti (PHE) Division
Udhampur

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Ph. 01992-270793


Full title of the Project : Water Supply Scheme Phalata under NABARD.
Proposal No. : FP/JK/WATER/144892/2021
Date of Proposal : 17-07-2021

Undertaking

It is to certify that I/ We Executive Engineer, Jal Shakti (PHE) Division Udhampur have applied for diversion of **0.187 Ha.** of forest land for the purpose of "**Water Supply Scheme Phalata**". I hereby undertake to comply the following conditions:

1. The User Agency shall provide the alignment plan to the DFO/DM, FDC concerned for facilitating felling of trees.
2. Alignment plan shall not be changed by the User Agency without prior approval of the Government.
3. The User Agency shall carry out soil conservation measure to avoid soil erosion during execution of the work.
4. The User Agency shall construct retaining walls/breast walls on forest land, wherever required, and take all necessary steps to check soil erosion which may result due to proposed construction.
5. Muck dumping shall be done only in the permitted designate dumping sites and shall not be dumped in the adjoining forest area. If found violated, Stage-II approval shall not be accorded.
6. The User Agency shall not violate the provisions of FCA 1980 in the garb of work permission obtained. If violation found, Stage-II shall not be accorded by the Government.
7. The forest land shall be utilized only for the purposes for which it has been indented.
8. The proprietary and legal status of forest land shall remain unchanged.
9. The forest land shall not be mortgaged, re-assigned, leased or sub-leased by user Agency, in any manner whatever to any agency.
10. No damage will be done to the adjoining forest land.
11. Any damage done to the forest land by the User Agency or its contractors shall be charged from user Agency @10 times as per revised standard rate of 2018 issued vide Government Order No. 10-FST of 2018 dated 09.01.2018.
12. No labour camp/structure for machinery shall be established in the forest land.
13. The working permission is temporary and shall be revoked at any time by the Government.
14. The validity of the working permission is strictly for one year only.


Assistant Ex. Engineer
Jal Shakti (PHE) Sub-Division
Udhampur



Executive Engineer
Jal Shakti (PHE) Division
Udhampur


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Date of Proposal : 17-07-2021

Undertaking

It is to certify that I/ We Executive Engineer, Jal Shakti (PHE) Division Udhampur have applied for diversion of **0.187 Ha.** of forest land for the purpose of "**Water Supply Scheme Phalata**". I hereby undertake to comply the following conditions:

1. Legal status of the forest land shall remain unchanged;
2. The layout plan of the proposal shall not be changed without prior approval of Central Government;
3. No labour camp shall be established on the forest land;
4. 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;
5. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
6. 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;
7. The forest land shall not be used for any purpose other than that specified in the project proposal;
8. 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; and
9. The User Agency shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project.
10. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
11. User Agency shall obtain Environment Clearance or any other clearance, if Applicable under any act/rule/order/guideline etc for the proposal.
12. User Agency will not start the work till final approval is accorded.


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It is to certify that I/ We Executive Engineer, Jal Shakti (PHE) Division Udhampur hereunder undertake that additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be paid by the User Agency [(Jal Shakti (PHE) Division Udhampur)].


Executive Engineer
Jal Shakti (PHE) Division
Udhampur



भारत 2023 INDIA
ONE EARTH • ONE FAMILY • ONE FUTURE

OFFICE OF THE DIVISIONAL FOREST OFFICER, UDHAMPUR

DFO Office, Near Sailain Talab, Udhampur, PIN Code: 182101

Phone: 01992-294067, email: dfo.udh@gmail.com

Name of Project : Water Supply Scheme Phalata
User Agency : Chief Engineer Jal Shakti (PHE) Department Jammu
Proposal No. : FP/JK/WATER/144892/2021

Undertaking

With reference to the In-Principle approval accorded in case of FCA Case titled "Water Supply Scheme Phalata" vide No.FST-LandOFC/46/2022-02 dated 21-07-2022, I, Divisional Forest Officer, Forest Division, Udhampur undertakes that:

1. The Compensatory Afforestation site of 0.11 Hectare in Co.19a/U will not be changed without prior approval of the Competent Authority.
2. The KML file of the area to be diverted, area accepted for raising CA, proposed SMC works, the proposed Catchment Area Treatment area and the WLMP area has been uploaded on the e-Green Watch Portal with all requisite details.
3. The Compensatory Afforestation will be carried out on degraded forest land (DFL) upon 0.11 ha. of land on Compartment no. 19a/U, Tehsil-Udhampur, District-Udhampur, as per proposed CA scheme. As far as possible, a mixture of local indigeneous species shall be planted and monoculture of any species will be avoided.

(Rushal Garg, IFS)
Divisional Forest Officer
Udhampur Forest Division
Udhampur

AGENCY COPY

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of India
Union Bank
of India



NEFT / RTGS CHALLAN for CAMPA Funds

Date : 04-02-2023

Agency Name.	CHIEF ENGINEER JAL SHAKTI (PHE) JAMMU
Application No.	53144892798
MoEF/SG File No.	FST-LAND0FC/46/2022-02
Location.	J AND K
Address.	MH Chowk UdhampurUdhampur
Amount(in Rs)	115888/-

Amount In Words : One Lakh Fifteen Thousand Eight Hundred and Eighty-Eight Rupees Only

NEFT/RTGS to be made as per following details;

Beneficiary Name:	J AND K CAMPA
IFSC Code:	UBIN0996335
Pay to Account No.	1507153144892798 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

यूनियन बैंक
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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


Executive Engineer
Jal Shakti (PHE) Division
Udhampur

FORM-II

(for projects other than linear)

[Rule 6(3) of Forest (Conservation) Rules 2003 as amended up to date]

**Government of Jammu and Kashmir
Office of the District Collector Udhampur**

TO WHOMSOEVER IT MAY CONCERN

In compliance of the Rule 6(3)(e) of the Forest (Conservation) Rules, 2003 [as amended vide the Forest (Conservation) Amendment Rules 2014; Forest (Conservation) second Amendment Rules 2014; and Forest (Conservation) second Amendment Rules 2016, it is certified that 0.187 hectares of Forest land is proposed to be diverted in favour of Executive Engineer, Jal Shakti (PHE) Division Udhampur for **construction of Water Supply Scheme Phalata under NABARD**, Tehsil Udhampur in Udhampur district falls within jurisdiction of village **Mand** in Tehsil **Udhampur**. 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 0.187 hectares of forest area proposed for diversion. A copy of records of all consultations and meetings of the Forest Rights Committee(s), Gram Sabha(s), are enclosed as annexure 1 to 3.
- (b) The diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and the Gram Sabha's have given their consent to it;
- (c) The proposal does not involve any recognized right of Primitive Tribal Groups and Pre-agricultural communities as reported by Tehsildar Udhampur vide No. TUDR/OQ/22-23/2763, dated 18.03.2023. Further Block Development officer Tikri vide No. BDOT/2022-23/995, dated 27.03.2023 has also submitted no objection for the diversion of 0.187 heacter of Forest land for the construction of water supply scheme Phalata under NABARD.

No.
Date:

DCU/SQ/2023/27
16-05-2023.


Sachin Kumar Vaishy, IAS
District Collector
Udhampur