



संयुक्त राष्ट्र संघ
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

The Conservator of Forests,
East Circle,
Jammu.

No.: 3765-68/FDU

Dated: 17-7-23

Sub: Verification of Compliance of conditions of In-Principle approval in the case titled "Construction of Lali Dabbar to Tote road Phase III, length=2.00 kms (Under NABARD)" - (Proposal No. FP/JK/ROAD/156314/2022).

Ref: Regional Officer, IRO, MoEF&CC, Jammu's In-Principle Approval No.9-JKA-055/2022-Jammu dated 29-10-2022.

Sir,

Kindly find enclosed herewith the compliance report and undertaking of the conditions of the In-Principle approval submitted by the User Agency (Executive Engineer, PWD (R&B) Division Udhampur) vide his letter no.XEN/U/2022-23/26049-51 dated 19-12-2022 and the undertaking of the undersigned for processing of Stage-II Approval.

Moreover, as per circular issued vide no.PCCF/FCA/3124/4501-50 dated 09/2022, the Divisional Manager (Ext), J&K Forest Development Corporation Division, Udhampur has communicated vide his letter no.223/DM/FDC/Udh dated 26-06-2023 that the user agency "PWD (R&B) Division Udhampur has deposited extraction charges to the tune of Rs.3,89,755.00 (Three lakh eighty nine thousand seven hundred and fifty five rupees only) against the clearance/ removal of trees coming under road alignment (copy enclosed).

Submitted for favour of information and necessary action.

Yours faithfully,

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

Copy submitted to:

1. The Addl. Pr. Chief Conservator of Forests, Jammu for kind information.
2. The Addl. Pr. Chief Conservator of Forests, Nodal Officer (FCA), Jammu for kind information.
3. The Executive Engineer, PWD (R&B) Division Udhampur for information.

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



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


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

Name of Project: Construction of Lali Dabbar to Tote road Phase III, length=2.00 kms (Under NABARD).
User Agency: PWD (R&B) Division Udhampur
Proposal No.: Proposal No. FP/JK/ROAD/156314/2022

Undertaking

With reference to the In-Principle approval accorded in case of FCA Case titled "**Construction of Lali Dabbar to Tote road Phase III, length=2.00 kms (Under NABARD)**" vide No.9-JKA-055/2022-Jammu dated 29-10-2022, I, Divisional Forest Officer, Forest Division, Udhampur undertakes that:

1. The approved Compensatory Afforestation site(s) will not be changed without prior approval of the Competent Authority.
2. The KML file of the degraded forest area accepted for raising compensatory afforestations as well as the forest area proposed for diversion in the extant proposal has been uploaded on the E-Green watch portal of the Forest Survey of India.
3. The Compensatory Afforestation will be carried out over degraded forest land (DFL) upon 1.96 ha. of land in Compartment no. 47/P, Block-Damnote, Range-Panchari, Tehsil-Mounгри, District-Udhampur, as per proposed CA scheme, at a cost of ₹ 5,79,462/- (Five lakh seventy-nine thousand four hundred sixty two) provided by the user agency.


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

①

GOVERNMENT OF JAMMU AND KASHMIR (UT)
OFFICE OF THE EXECUTIVE ENGINEER PWD(R&B) DIVISION UDHAMPUR

(Email: xenrandbudhampur@gmail.com)

Phone Fax No. 01992-270208

ADDRESS : Near Dak Bunglow Udhampur or Opp. Blue Sapphire Hotel Udhampur.

The Divisional Forest Officer
Udhampur

No :- XEN/U/2022-23/ 26649-51

Dated: 19-12-2022

Name of proposal :- Diversion of 0.7022 ha of forest land for Construction of road from Lali Dabbar to Tote Phase III, length=2.00 kms (Under NABARD), UT of Jammu & Kashmir (Online proposal no. FP/JK/ROAD/156314/2022 regarding compliance of Stage I

Subject : Undertaking to comply with terms and conditions of Stage-I approval of the above mention proposal. Request for according working permission and the final approval of Stage-II

Ref : Regional Officer, IRO, Jammu's File No. : 9JKA-055/2022-Jammu Dated : October 2022

DFO Udhampur Letter No : 5729-31/FDU Dated : 17.12.2022

Respected Sir,

The subject proposal is construction of 2 Km road, the project envisages diversion of 0.7022 of forest land , Regional Officer Jammu MOEF vide letter No : **9JKA-055/2022-Jammu Dated : October 2022** has accorded in principal approval subject to the conditions mentioned below, whose compliance has been completed on part of user agency i.e PWD(R&B) Division udhampur detailed para wise below

A. Condition which need to be complied prior to handing over of forest land by the UT Forest Department to the PWD(R&B) Division Udhampur (User agency)

S.NO	Condition for compliance as per IRO Jammu, MOEF vide Letter Dated : October 2022	Compliance by user/Indenting agency, PWD(R&B) Division Udhampur
i.	Legal status of the forest land will remain unchanged.	Agreed and shall be complied with
ii.	Cost of compensatory afforestation (CA) as per CA scheme may be realized from User	DFO Udhampur vide ref. Letter No : 4854-58/FDU Dated : 05.11.2022 has been raised a demand of Rs. 1621288.67/- from the indenting Agency i.e PWD(R&B) Division udhampur. Which includes an amount of Rs. 579462/- for value of cost of compensatory afforestation (CA). After acceptance of demand note the requisite amount of Rs. 1621289/- has been submitted in the J&K State Campa through online generated challan on the web portal (https://parivesh.nic.in) (copy enclosed). The payment confirmation has been realized and reflected on the parivesh portal (copy enclosed)
iii.	The State Government shall charge the Net Present Value	Demand note raised by DFO Udhampur 1621288.67 Dated : 05.11.2020 for cost of net

	(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 6 th January, 2022 in this regard.	present value NPV as per extent guidelines of Ministry and Directions of Hon'ble supreme court. After acceptance of Demand note, the requisite amount Rs. 1621289 has been submitted in the J&K State CAMPA fund through online generated challan on the web portal (Copy enclosed). The payment confirmation has been realized and reflected on parivesh portal (Copy enclosed)
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).	The requisite amount of Rs. 1621289/- for net present value NPV of forest land and all other CA levies has been deposited in the J&K State CAMPA (Copy enclosed) through online generated challan on the web portal of ministry of Environment, Forest and Climate change (https://parivesh.nic.in). The same is reflected on parivesh portal as paid.
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.	The requisite amount of Rs. 1621289/- for net present value NPV of forest land and all other CA levies has been deposited in the J&K State CAMPA on 29.10.2022 (Copy enclosed) through online generated challan on the web portal of ministry of Environment, Forest and Climate change (https://parivesh.nic.in). The same is reflected on parivesh portal as paid.
vi.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector	Original Copies of FRA 2006 are enclosed issued from District Collector Udhampur vide No : DCU/SQ/1987-88 Dated : 01.08.2022 and corrigendum No : DCU/DQ/4605-06 Dated : 11.10.2022
vii.	Divisional Forest Officer shall furnish undertaking that the approved CA site(s) will not be changed without the approval of competent authority.	Pertain to State Forest Department.
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.	Pertain to State Forest Department.

ix.	The complete compliance shall be uploaded on e portal (https://parivesh.nic.in).	Agreed and shall be complied with.
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In view of the above, it is requested to process for Stage II Forest clearance as a final approval and accord the working permission at an earliest to the user agency. This would ensure the timely completion of the above said road please.

Uttam
Asstt. Ex. Engineer
PWD (R&B) Sub-Div.
Landhes

Shyam
Executive Engineer
PWD (R&B) Division
Udhampur

GOVERNMENT OF JAMMU AND KASHMIR (UT)
OFFICE OF THE EXECUTIVE ENGINEER PWD(R&B) DIVISION UDHAMPUR

(Email: xenrandbudhampur@gmail.com)

Phone Fax No. 01992-270208

ADDRESS : Near Dak Bunglow Udhampur or Opp. Blue Sapphire Hotel Udhampur.

Undertaking

Name of proposal :- Diversion of 0.7022 ha of forest land for Construction of road from Lali Dabbar to Tote Phase III, length=2.00 kms (Under NABARD), UT of Jammu & Kashmir (Online proposal no. FP/JK/ROAD/156314/2022 regarding compliance of Stage I

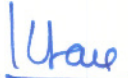
It is certify that I/We Executive Engineer PWD(R&B) Division udhampur undertake to comply the below mentioned conditions.

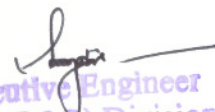
(B). Conditions which need to be strictly complied in field after handing over of forest land to the user agency by the state forest Department the compliance in form of undertaking is submitted prior to stage II approval as under :

S.NO	Condition for compliance as per Regional Officer Jammu;s File No : 9JKA-055/2022-Jammu Dated : October 2022
i.	Efforts will be made to fell minimum number of trees and in any case, not more than 114 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.
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.
iii.	Compensatory afforestation will be carried out over Degraded Forest land (DFL) upon 1.404 ha of land in Compartment No. 47/P, Block-Damnore, Range- Panchari , Tehsil-Mounгри , District- Udhampur , as per proposed CA scheme, at a cost of ₹579462/- (Five lakh seventy-nine thousand four hundred sixty two) has already been provided by the user agency.
iv.	The layout plan of the proposal shall not be changed without prior approval of Central Government.
v.	The forest land will not be used for any purpose other than that specified in the project proposal.
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.
vii.	No labour camp will be established on the forest land.
viii.	Sufficient firewood, preferably by the alternate fuel, shall be provided by the

	UserAgency to the labourer after purchasing the same from the State Forest Department or theForest Development Corporation or any other legal source of alternate fuel.
ix.	The boundary of the diverted forest land will be suitably demarcated on ground at theproject cost, as per the directions of the concerned Divisional Forest Officer.
x.	No additional or new path will be constructed inside the forest area for transportation ofconstruction materials for execution of the project work.
xi.	The User Agency shall pay additional amount of NPV as and when increased by the orders of Hon'ble Supreme Court.
xii.	The User agency shall obtain Environmental Clearance as per the provisions of theEnvironmental (Protection) Act, 1986, if applicable.
xiii.	No muck will be dumped in the forest land in context of the undertaking given by UserAgency.
xiv.	The User Agency shall raise strip plantation on both sides and central verge of the roadas per IRC norms.
xv.	Speed regulating signage will be erected along the road at regular intervals in the ForestAreas.
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 ofForest (conservation) Act, 1980 and Forest Conservation Rules, 2003 (Guideline &Clarification), 2019, MoEF&CC.
xvii.	Any other condition that the Ministry of Environment, Forest and Climate Change maystipulate from time to time in the interest of conservation, protection and development offorests and wildlife.
xviii.	The Ministry of Environment, Forest and Climate Change may revoke/suspend theclearance, if implementation of any of the above conditions is not satisfactory. The State government will ensure compliance of these conditions through Forest Department.

Hence Undertaking for compliances of the above noted conditions submitted for working permission and stage II approval please.


Asstt. Ex. Engineer
PWD (R&B) Sub-Divn.
Landher


Executive Engineer
PWD (R&B) Division
Udhampur

FORM-I

(for linear projects other than Plantations)
[Rule 6(3) of Forest (Conservation) Rules 2003 as amended up to date]

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

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 0.6422 hectare of forest land proposed to be diverted in favour of Executive Engineer, PWD (R&B) Division Udampur for construction of PWD Road from "Lalli Dabbar via Sergah, Poni (Dengi Dhar, Sari to Tote) Phase 3rd under NABARD loan assistance RIDF-XXVI (Length = 2 Km)" in Udampur district falls within jurisdiction of village Dhingi Dhar and Lalli in Tehsil Mounгри. 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 0.6422 hectare of forest area proposed for diversion. As per MoEF issued vide No. F. No. 11-9/98-FC(9pt) dated 5th Feb. 2013 for linear projects like constructions of **roads, canals, laying of pipelines/optical fibre and transmission lines etc.**, there is no requirement of resolution of the Gram Sabha of the area, based on full and prior information of the project and a public hearing, endorsing that the project is in the interest of the people living on the forest land, use of which is proposed to be diverted for non-forest purpose;
- (b) The proposal does not involve recognized right of Primitive Tribal Groups and Pre-agricultural communities as reported by Tehsildar Mounгри vide No. 123/TM/OQ/2022-23 dated 25.07.2022.

No. DCU/SQ/1987-88.
Date: 01.08.2022.

Krittika
Krittika Jyotsna, IAS
District Collector
Udampur

NSD

Government of Jammu and Kashmir
Office of the District Collector Udhampur

Corrigendum

Whereas, Executive Engineer, PWD (R&B) Division Udhampur vide No. 4661-68 dated. 25.05.2022 was requested this office to issue FRA (Forest Right Act) certificate for diversion of forest land measuring 0.6422 hectare for construction of PWD road from Lali Dabbar via Sergah, Poni (Dengi Dhar, Sari to Tote) Phase 3rd under NABARD loan assistance RIDF-XXVI (Length = 2 Km);

Whereas, this office vide No. DCU/SQ/1987-88 dated. 01.08.2022 was issued FRA (Forest Right Act) certificate for diversion of forest land measuring 0.6422 hectare in favour of Executive Engineer, PWD (R&B) Division Udhampur for construction of PWD road from Lali Dabbar via Sergah, Poni (Dengi Dhar, Sari to Tote) Phase 3rd under NABARD loan assistance RIDF-XXVI (Length = 2 Km) in Udhampur district which falls in the jurisdiction of villages Dhingi Dhar and Lalli, Tehsil Mounгри;

Whereas, Executive Engineer, PWD (R&B) Division Udhampur vide No. 16164-68 dated. 12.08.2022 requested this office that during the joint inspection with forest Department area of forest land is found 0.7022 hectare instead of 0.6422 hectare and also, requested this office to issue FRA (Forest Right Act) certificate for forest land 0.7022 hectare instead of 0.6422 hectare;

Whereas, this office vide No. ACRU/SQ/2234-35 dated. 22.08.2022 requested Tehsildar Mounгри to furnish report whether or not recognized rights of Primitive Tribal Groups (PTG) and Pre Agricultural Communities (PAC) under Forest Right Act 2006 for diversion of forest land measuring 0.7022 hectare instead of 0.6422 hectare for the said road; and

Whereas, as reported by Tehsildar Mounгри vide No. 203/TM/OQ/2022-23 dated. 17.09.2022 there is no recognized rights of Primitive Tribal Groups (PTG) and Pre Agricultural Communities (PAC) under Forest Right Act 2006 for diversion of forest land measuring 0.7022 hectare instead of 0.6422 hectare for the said road; and

Therefore, read the FRA (Forest Right Act) certificate issued vide this office No. DCU/SQ/1987-88, dated. 01.08.2022 for diversion of forest land measuring 0.7022 hectare for construction of PWD road from Lali Dabbar via Sergah, Poni (Dengi Dhar, Sari to Tote) Phase 3rd under NABARD loan assistance RIDF-XXVI (Length = 2 Km) in Udhampur district which falls within jurisdiction of villages Dhingi Dhar and Lalli in Tehsil Mounгри, instead of ***FRA (Forest Right Act) certificate for diversion of forest land measuring 0.6422 hectare for construction of PWD road from Lali Dabbar via Sergah, Poni (Dengi Dhar, Sari to Tote) Phase 3rd under NABARD loan assistance RIDF-XXVI (Length = 2 Km).***

No. DCU/SQ/4605-06
Date: 11-10-2022.

Krittika
Krittika Jyotsna, IAS
District Collector
Udhampur

**OFFICE OF THE DIVISIONAL MANAGER J&K FOREST
DEVELOPMENT CORPORATION EXTRACTION DIVISION
UDHAMPUR**

*The Divisional Forest Officer,
Udhampur Forest Division,
Udhampur.*

No:- *223* /DM/FDC/Udh Dated:- *26* -06-2023.

Subject :- Construction of road from Lali Dhabar to Tote Phase III.

Sir,

In context to the subject matter, it is submitted that this organization has received extraction charges to the tune of Rs,3,89,755.00 (Rupees Three Lakh Eighty Nine Thousand Seven Hundred and Fifty Five only) against the clearance/removal of trees coming under road alignment Lalli Dhabar to Tote Phase III through Comptts.50-51/Panchari.

Yours faithfully,

Parvez Malik
(Parvez Malik)

*Divisional Manager(Ext)
J&K Forest Dev. Corporation Division
Udhampur*

*22/8
27/6/23*

