



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND
CLIMATE CHANGE
एकीकृत क्षेत्रीय कार्यालय, जम्मू / Integrated Regional
Office, Jammu



File No: 9-JKC-051/2021-Jammu

Dated: 13/08/2021

To,

Commissioner Secretary,
Department of Forest, Ecology & Environment,
U.T. of Jammu & Kashmir,
Civil Secretariat
Jammu & Kashmir
(csforestjk@gmail.com)

Sub: **Diversion 14.31 ha of Forest land for construction of road from Ganjote to Phallni II, District Reasi, U.T. of Jammu & Kashmir (Online proposal no. FP/JK/ROAD/48778/2020)-reg**

Ref: i) UT Admin of J&K online proposal received on dated 12.04.2021
ii) Nodal Officer J&K letter no. PCCF/FCA/3174/1083-84 Dated 03.06.2021
iii) Minutes of the 40th REC meetings held on 18.06.2021
iv) Nodal Officer J&K letter no. PCCF/FCA/3174/1689-90 Dated 08.07.2021
v) Minutes of the 41st REC meetings held on 06.08.2021

Sir,

Please refer to the above cited subject and letters seeking prior approval of the Central government for the diversion of **14.31 ha** of Forest land for non-forestry purpose in accordance with section 2 of Forest (Conservation) Act, 1980.

2. After careful examination of the proposal of the UT Administration of J&K, in the 41st meeting of REC, *in-principle* approval is hereby conveyed for the diversion **14.31 ha** of forest land for the above mentioned project, subject to the following condition:

(A). Conditions which need to be complied prior to handing over of forest land by the UT Forest Department:

- i. Cost of compensatory afforestation as per CA scheme may be realized from the user agency;
- ii. Net Present Value (NPV) of the forest land being diverted for non-forestry purpose may be realized from the user agency, as per Ministry's directions issued vide letters No. 5-3/2007-FC dated 5th February 2009 and Hon'ble Supreme Court of India's Order dated 30th October 2002, 28th March, 2008, 24th April, 2008 and 9th May 2008;
- iii. As per the orders of the Government of India vide letter No. 5-2/2010-CAMPA 24.06.2011, 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.

- iv. 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;
- v. The Divisional Forest Officer shall furnish undertaking that the approved CA site(s) will not be changed without the approval of competent authority;
- vi. 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;
- vii. User Agency shall ensure that no other proposal in the division, for which Stage-I has already been granted in the past, is still pending for compliance of conditions of Stage-I approval. An Undertaking to this effect that "no such proposal for compliance of conditions of Stage-I approval is pending with this division" be submitted. Compliance of the same will be mandatory for the final clearance of this proposal by this office.

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

- i. Legal status of the forest land will remain unchanged;
- ii. Efforts should be made to fell minimum number of trees not to exceed 372 trees;
- iii. The UT Government shall upload the KML files of the degraded forest area accepted for raising compensatory afforestation in the E-Green watch portal of FSI, before handing over of forest land to the user agency;
- iv. The acquired **30** dumping sites should be prepared appropriately before start of dumping to prevent downhill slide of muck;
- v. Angle of repose of muck should be maintained between 30^o to 40^o;
- vi. Long slope should be intercepted to several short ones with help of berms/terraces/benches;
- vii. Dumping sites which have attained full capacity should be rehabilitated with local grass, trees and shrubs;
- viii. The trees should be felled under strict supervision of the State Forest Department;
- ix. The CEO, State CAMPA Authority shall ensure release of funds under CAMPA to the DFO for raising CA plantation as per CA scheme approved by this office;
- x. The DFO shall ensure taking up CA plantations at approved CA sites and shall not after the approved sites without obtaining the permission of the competent authority;
- xi. The CA will be carried out over 29 ha on forest land as per the CA scheme and the funds will be provided by the user agency. The plantation will be done within one year from the date of issue of the approval;
- xii. The forest land will not be used for any other purpose than that mentioned in the proposal;
- xiii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department, or person without approval of the Central Government;
- xiv. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xv. No damage will be done to the adjoining forest land;
- xvi. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xvii. The user agency shall pay additional amount of NPV as and when increased on the order of Hon'ble Supreme Court;

- xviii. The User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xix. Any other condition that this Integrated Regional Office may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xx. It will be the responsibility of the UT Government/User Agency to obtain all other prior approvals/clearances under all other relevant Acts/Rules/ Court's Rulings/instructions, etc., including environmental clearance, as applicable to this proposal.

Yours faithfully,

Sd/-

(K.Z. Bhutia)

**Regional Officer,
IRO, MoEF&CC, Jammu**

Copy to: -

1. The ADGF (FC), Ministry of Environment, Forests, Indira Paryavaran Bhawan, Jor Bagh, Aliganj, New Delhi (adgfc-mef@nic.in).
2. The Pr. Chief Conservator of Forests (HoFF), U.T. of Jammu & Kashmir, Forest Complex, Sheikh Bagh, Near Lal Chowk, Srinagar, UT of Jammu Kashmir (pccfjkforest@gmail.com).
3. The Nodal Officer (FCA), U.T. of Jammu & Kashmir, Forest Complex, Sheikh Bagh, Near Lal Chowk, Srinagar, UT of Jammu Kashmir (sarveshraiifs@gmail.com).
4. CEO, CAMPA O/o PCCF (HoFF), U.T. of Jammu & Kashmir, Forest Complex, Sheikh Bagh, Near Lal Chowk, Srinagar, UT of Jammu Kashmir (jkcampacell@gmail.com).
5. The Divisional Forest Officer, Mahore Forest Division and District Reasi, UT of Jammu Kashmir.
6. Chief Engineer PMGSY Jammu, Chief Engineer PMGSY (JKRRDA), 4th floor, JKPCC house, Rail Head complex, Jammu, District Jammu, U.T. of Jammu and Kashmir. (cepmgisyjammu@gmail.com)