



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-JKB-029/2021-Jammu

Dated: 19.05.2021

To

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

Sub: Diversion of 1.35 ha of forest land for Upgradation and Maintenance of Road from L041-Zaloor to Gujjerpathi, District Baramulla, U.T. of Jammu & Kashmir. (Online proposal no. FP/JK/ROAD/49091/2020)-regarding.

Ref: i) UT Admin of J&K online proposal received on 16.03.2021

Sir,

Please refer to the above cited subject and letters seeking prior approval of the Central Government for diversion of **1.35** ha forest land for non-forestry purpose in accordance with section 2 of the Forest (Conservation) Act, 1980.

2. After careful examination of the proposal of the UT Administration of J&K, *in-principle* approval is hereby conveyed for diversion **1.35** ha of forest land for the above mentioned project, subject to the following conditions:

(A) Conditions which need to be complied prior to handing over of forest land by the State 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 UT of J&K shall not issue temporary working permission until entire compensatory levies are deposited by the User Agency and confirmed online on Ministry's web portal.
- vi) Violation of any these conditions will amount to violation of Forest (Conservation) Act, 1980 and action will be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter no 5-2/2017-FC dated 28/03/2019.
- vii) Divisional Forest Officer shall furnish undertaking that the approved CA site(s) will not be changed without the approval of competent authority.
- 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
- ix) FRA certificate from competent authority to be submitted.

(B) Conditions which need 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:

- i) Legal status of the forest land will remain unchanged;
- ii) No trees shall be felled in this proposal.
- iii) No muck will be dumped in the forest land in context of undertaking given by UA of using muck on road itself.
- iv) The DFO shall ensure that User agency shall not dump muck outside the road as per the muck disposal certificate furnished by the user agency.
- v) The forest land will not be used for any other purpose than that mentioned in the 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 Central Government;
- vii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- viii) No damage will be done to the adjoining forest land;
- ix) No labour camp shall be established on the forest land;
- x) The user agency shall pay additional amount of NPV as and when increased on the order of Hon'ble Supreme Court;
- xi) 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;
- xii) Any other condition that this Regional Office may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xiv) It will be the responsibility of the State 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.

3. After receipt of the compliance report on fulfillment of the conditions under para-2, above, final approval order shall be given under Section-2 of the Forest (Conservation) Act, 1980. The use of forestland will not be allowed till final approval is accorded.

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 (ccffcjkl@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, Kamraj Forest Division and District Baramulla, UT of Jammu Kashmir.
 6. CHEIF ENGINEER PMGSY Kashmir, Office of the Chief Engineer, PMGSY, Kashmir, UT of Jammu & Kashmir (cepmsyjkashmir@gmail.com)
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