



Government of Jammu and Kashmir,
Forest, Ecology & Environment Department
Civil Secretariat, Jammu/Srinagar

Consultant (Judicial),
Hon'ble National Green Tribunal,
Principal Bench, New Delhi.

No.FST-Lit/97/2024(7420212)

Dated.23-04-2024

Subject: OA. No.163/2024 titled Rasikh Rasool Bhat Vs. Union Territory of
Jammu and Kashmir & Ors.

Sir,

With reference to the subject captioned above, I am directed to forward a copy of Action Taken Report in compliance with the order dated 21.02.2024 passed by the Hon'ble Tribunal in the afore-cited matter and to request you to place the same before the Hon'ble Tribunal, for its kind consideration.

Yours faithfully,

(Vivek Modi)
Special Secretary (Technical)
Forest, Ecology & Env. Department

Encl:As above.

Copy (with enclosures) to the:-

1. Shri Parth Awasthi, Additional Standing Counsel for Government of J&K in Hon'ble National Green Tribunal-Principal Bench, New Delhi, for information and necessary action.

Action Taken Report in compliance with the order dated 21.02.2024 passed by the Hon'ble National Green Tribunal in O.A. No. 163/2024 in the case titled "Rasikh Rasool Bhat Vs Union Territory of Jammu and Kashmir & Ors."

I) That at the very outset, it is stated that the Hon'ble National Green Tribunal in O.A. No. 163/2024 in the case titled "**Rasikh Rasool Bhat Vs Union Territory of Jammu and Kashmir & Ors.**", was pleased to pass an order dated 21.02.2024, which reads as under: -

"1. In this original application, the applicant has raised the grievance that in the execution of the work on Handwara – Bangus road project (state highway) at Rajwar Forest Area of Kupwara District of J&K the environmental norms are being violated and extraction of gravel in the stream local Talri Nallah of Rajwar area is being done. It is alleged that the authorities have allowed extraction of gravel from local stream (Bakiaker – Zachaldara) of Rajwar area of Kupwara district for utilization in construction of the road. It is further alleged that more than 25000 lush green forest trees were cut/uprooted and big mountains have been blasted and more than 14 hectares of forest land is being used to construct the road. Further allegation is that none of the respondents have applied for the mandatory Environmental Clearance and no information in this regard is available in Parivesh Portal.

2. The OA raises substantial issue relating to compliance of environmental norms.


23.04.2024

3. Let notice be issued to the respondents. Applicant is directed to serve the respondents and file affidavit of service at least one week before the next date of hearing.

4. List on 25.04.2024”

- II) That it is respectfully stated and submitted that in deference to the aforesaid direction of this Hon’ble Tribunal, requisite response/information was sought from the Principal Chief Conservator of Forests (HoFF), J&K.
- III) That it is respectfully stated and submitted that the office of PCCF, J&K, vide it’s communication No. PCCF/Lit/2/OA/2024/1073-74 dated 22.04.2024 (Copy attached as **Annexure-I**), forwarded a report in the matter mentioning therein as under:-
- (i) That on the basis of Cabinet Decision No. 178/11/2017 dated 03.10.2017 and State Administrative Council Decision No. 189/19/2019 dated 30.07.2019, sanction has been accorded vide Government Order No. 281-FST of 2019 dated 24.09.2019, for the use of 14 hectare of forest land passing through Compartments 2,3a,3b,4,5,6,10,11,12,13,14,15,16,24,25,26/Rajwar of Rajwar Forest Range for the construction of road from Handwara to Bangus Phase-I in order to convert the destination into major tourist attraction similar to Gulmarg with much wider meadows and vast majority of flora and fauna, which will benefit a population of eighty thousand.
 - (ii) That under and in terms of Government Order (supra), 1023 Deodar/Kail/Fir trees of different dia-classes, including poles/saplings were to be handed over to Forest Development Corporation with the further mention in Government Order (supra) that marking of tree felling shall be done in consultation with the User Agency and efforts shall be made to save maximum number of trees/poles/saplings.
 - (iii) That no such report regarding damage of 25000 trees during the execution work has been received and only 1023 trees/poles/saplings of different dia-classes were cut down during the construction of Bangus Road within Rajwar Range. However,

23.04.2024

it is noteworthy that that User Agency had illegally damaged 05 number of Fir trees of different dia-classes in Compartment 26a/Rajwar, for which FIR No. 449 of 2018 was registered against the construction agency in P/S Handwara, besides, a damage bill of Rs. 2,25,890/- was also raised against the User Agency and the matter has been taken up with the Chief Engineer, PWD(R&B) and Executive Engineer, PWD(R&B) Division Handwara, for the deposition of said amount.

- (iv) That in addition to above, illegal earth cuttings at six locations in Compartment 25/Rajwar of 0.35 Hac (07 Kanals) had taken place, which has been taken cognizance of and an FIR No. 239/2023 dated 25.10.2023 stands registered in this regard in P/S Handwara.
- (v) That as regards the extraction of gravels from Talri Nallah, it has been reported that the area in question falls outside the reserved forest areas. The subject matter, as such, pertains to the Mining Department, which is also a party-respondent in the present matter.
- (vi) That in so far as the issue regarding environmental clearances is concerned, it is stated that obtaining of the requisite clearances under any law in vogue before commissioning the project is the responsibility of the User Agency under and in terms of Forest Government Order No. 281-FST of 2019 dated 24.09.2019.

In the premises, the aforementioned submissions and factual position in terms of the order of this Hon'ble Tribunal dated 21.02.2024 in O.A. No. 163/2024, are placed before this Hon'ble Tribunal for its kind perusal and consideration please.


(Vivek Modi)
Special Secretary (Technical)

May to October Forest Complex,
Sheikh Bagh Lal Chowk, Srinagar-
190001

Phone: 0194-
2483937, Fax:
0194-2455027

Nov. to April: Van Bhawan, Below
Gumat,
Jammu-180001

Phone: 0191-
2560585, Fax:
0191-2547276



Jammu & Kashmir Forest Department
Office of the Pr. Chief Conservator of Forests & HoFF
Government of Jammu & Kashmir



The Financial Commissioner/ ACS,
Department of Forest, Ecology & Environment,
Civil Secretariat, UT of J&K,
Srinagar/ Jammu.

No: PCCF/Lit/2/OA/2024/1073-74

Dated: 22/04/2024

Sub: OA: 163/2024- titled Rasikh Rasool Bhat Vs. Union Territory of Jammu & Kashmir & Ors.

Ref: CCF, Kashmir's letter No: CCF/K/LO/2024/286-88 dated 20.04.2024.

Sir,

Apropos to the subject and reference cited above. Kindly find enclosed herewith the requisite information/ report received from the office of Chief Conservator of Forests, Kashmir into the matter vide their letter under reference.

In this connection, I am directed to request to kindly take further necessary action into the matter at your end please.

Yours faithfully,

(Shabana Durrani)

Deputy Legal Remembrancer

Copy to the:-

2. Addl: Pr. Chief Conservator of Forests, Kashmir. This has reference to their letter under reference.

Mailed on 24/4/2024.



**OFFICE OF THE
 CHIEF CONSERVATOR OF FORESTS KASHMIR.**

**The Principal Chief Conservator of Forests & HoFF,
 Jammu and Kashmir Government,
 Jammu.**

No. CCF(K)/LO/2024/286-88

Dated: 20.04.2024

**Subject: - O.A. No. 163/2024 titled Rasikh Rasool Bhat Vs. Union
 Territory of Jammu & Kashmir & Others.**

Sir,

Kindly refer Office letter No. PCCF/Lit/2/OWP/2024/ 1049-52 dated 19.04.2024 regarding the subject cited above.

In this context, it is conveyed that in view of the Cabinet Decision No. 178/11/2017 dated 03.10.2017 and State Administrative Council Decision No. 189/19/2019 dated 30.07.2019, sanction has been accorded vide Government Order No. 281-FST of 2019 dated: 24.09.2019 for the use of 14 Hac of forest land passing through Compartment 2,3a,3b, 4,5,6, 10,11,12,13,14,15,16,24,25,26/Rajwar of Rajwar Forest Range for the construction of road from Handwara to Bangus Phase-I to convert the destination into major tourist attraction like Gulmarg and with much widen meadows and vast majority of flora and fauna. The road will benefit population of eighty thousand people. In the aforesaid Government Order, it has been ordered that **1023 Deodar/Kail/Fir** trees of different dia-classes including poles/saplings be handed over to Forest Development Corporation. It is further ordered in the aforesaid Government Order that marking of tree felling will be done in consultation with the User Agency and efforts shall be made to save maximum number of trees /poles/saplings and the cost of extraction work shall be paid by the User Agency directly to Agency executing the extraction.

1. No such report has been received regarding to the damage of 25000 trees during the execution of said road. Only 1023 Trees/Poles/Sapings of different dia classes has been exploited during the construcion of Bangus Road within the Rajwar Range. However, the User Agency has damaged 05 number of Fir trees of different dia-classes illegally in Compartment 26a/Rajwar for which FIR No. 449 of 2018 dated 30.11.2018 (Copy enclosed) has been lodged against the construction agency in Police Station Handwara and damage bill of Rs 2,25,890/- has been raised against the User Agency. The matter has been taken up with the Chief Engineer, PWD(R&B) and

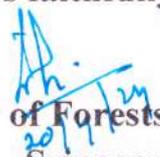
Executive Engineer, PWD(R&B) Division Handwara for deposition of the said amount.

2. The quantam of land duly diverted is 14 Hac of Forest Land. However, illegally earth cuttings at six location in compartment 25/Rajwar of 0.35 Hac(07 Kanals) has been taken cognizance of and an FIR No. 239/2023 dated 25.10.2023 has been lodged in Police Station Handwara (Copy enclosed).
3. With regard to extraction of material from Talri Nalla, the area falls outside the reserved forests area.
4. Regarding the environmental clearance, it is submitted that in terms of the condition No. 11 of the Forest Order No. 281-FST of 2019 dated 24.09.2019, the User Agency shall be shall be responsible for obtaining requisite clearances under any other law in vogue before commissioning of the project.

The copy of the report received from Conservator of Forests, North Circle, Sopore vide No. FD/CFN/LO/2024/08 dated 20.04.2024 is enclosed along with Geo-tagged photographs of the said road.

Yours faithfully


20.04.24


Addl. PCCF/Chief Conservator of Forests,
Kashmir – Srinagar.

Copy to: -

1. Deputy Legal Remembrancer, Office of the Principal Chief Conservator of Forests & HoFF for information and necessary action, please.
2. Assistant Legal Remembrancer, Office of the Principal Chief Conservator of Forests & HoFF for information and necessary action, please.

Office Address
Forest Complex, Jagir
Mazbugh Sopore.



URL Address:- www.jkforest.gov.in
E-mail:- cfnorth@nic.in
cfnorthkmr@gmail.com

Government of Jammu & Kashmir
OFFICE OF THE CONSERVATOR OF FORESTSKASHMIR NORTH CIRCLE SOPORE

The APCCF/ Chief Conservator of Forests,
Kashmir .

No: - FD/CFN/LO/2024/ 10

Dated: 20/04/2024

Sub: - Case Titled Rasikh Rasool Bhat Vs UT Gover of Jammu & Kashmir through Chief Secretary and toher Respondents.

Ref: Your Office No: CCF (K)/LO/2024/282-85 Dated 20-04-2024

Sir,

In continuation to this office communication No:FD/CFN/LO/2024/08 Dated 20-04-2024, kindly find herewith the point wise reply regarding the case as cited above as submitted by Divisional Forest Office Langate Foreset Division vide his No:DFO/LGT/Estt/2024-25/230-35 Dated 20-04-2024 for favour of information and further necessary action at your kind end please.

Encl:-

Yours faithfully,

**Conservator of Forests,
Kashmir North Circle, Sopore.**

Copy to Law Officer O/o APCCF/ Chief Conservator of Forests Kashmir Region Srinagar for favour iformaton and further necessary action.



Government of Jammu & Kashmir
OFFICE OF THE DIVISIONAL FOREST OFFICER, LANGATE
FOREST DIVISION LANGATE,
email id: dfolangate@gmail.com

The Conservator of Forests,
Kashmir North Circle,
Sopore,

No: DFO/LGT/Estt/2024-25/ 230-35

Dated 20 /04/2024.

Sub: O.A No.163/2024 Titled Rasikh Rasool Bhat V/s Union Territory of
Jammu & Kashmir & Ors.

Sir,

In continuation to this office communication No.DFO/LGT/Estt/2024-25/224-29 Dated 20.04.2024 submitted to your good office, in this connection, the point wise reply is detailed as under:-

1. It is certified that excavation of river bed sediments being carried out are from stream bed of Talri (Bakhihakar- Zachaldara) which is outside from the boundaries of demarcated forests of Rajwar Forest Range.
2. As per available office there is no such report regarding the damage to 25000 forest trees during the execution of said road, whileas only 1023 Trees/ Poles/ Saplings of different dia classes has been exploited during the construction of Bungus road within the Rajwar Range, however 05 Fir trees of different dia class has been illegally exploited near blasting sites in compartment 26a/Rajwar for which FIR No.449 of 2018 Dated 30.11.2018 has been lodged against the construction agency i.e JK Constructions in Police Station Handwara and damage bill amounting to Rs.225890.00 (Rupees Two Lakh Twenty Five Thousand Eight Hundred Ninety only) has been raised against PWD and is yet to be reimbursed to Forest Department.
3. The quantum of land duly diverted is 14 Hac of forest land but extra earth cuttings at six locations of said road in compartment 25/Rajwar with total area of 0.35 Hac (7 Kanals) has been involved illegally and for which amount of Rs.480343.50 (Four Lac Eight thousand three Hundred Forty three only) has been evaluated by Range Officer and FIR No.239/ 2023 dated 25.10.2023 has been lodged in Police Station Handwara.

Hence submitted for your kind perusal and further necessary action

at your end, please

Yours faithfully,

Divisional Forest Officer,
Langate Forest Division,
Langate.

Copy Submitted for favour of information and necessary action to the:-

1. Principal Chief Conservator of Forests(HoFF) J&K Government Jammu/Srinagar.
2. APCCF/Chief Conservator of Forests, Kashmir Srinagar.
3. Deputy Commissioner Kupwara
4. Copy to District Geology & Mining Officer Kupwara for information
5. Copy to Executive Engineer Irrigation & Flood Control Division Handwara.

Divisional Forest Officer,
Langate Forest Division,
Langate.

Office Address
Forest Complex, Jagir
Mazbugh Sopore.



URL Address:- www.jkforest.gov.in
E-mail:- cfnorth.for-jk@nic.in
cfnorthkmr@gmail.com

Government of Jammu & Kashmir
OFFICE OF THE CONSERVATOR OF FORESTS KASHMIR NORTH CIRCLE SOPORE

The APCCF/ Chief Conservator of Forests,
Kashmir .

No: - FD/CFN/LO/2024/08.

Dated: -20/04/2024

Sub: - Case Titled Rasikh Rasool Bhat Vs UT Gover of Jammu & Kashmir through Chief Secretary and toher Respondents.

Ref: Your Office No: CCF (K)/LO/2024/282-85 Dated 20-04-2024

Sir,

Kindly refer the subject matter as cited above. In this connection the Divisional Forest Officer of Langate Forest Division Langate has submitted his report vide his No:DFO/LGT/Estt/2024-25/224-29 Dated 20-04-2024 which is hereby enclosed and submitted for favour of further necessary action at your kind end please.

Encl:-

Yours faithfully,

Conservator of Forests,
Kashmir North Circle, Sopore.

Copy to Law Officer O/o APCCF/ Chief Conservator of Forests Kashmir Region Srinagar for favour iformaton and further necessary action.



Government of Jammu & Kashmir
OFFICE OF THE DIVISIONAL FOREST OFFICER, LANGATE
FOREST DIVISION LANGATE,
email id: dfolangate@gmail.com

The Conservator of Forests,
Kashmir North Circle,
Sopore.

No: DFO/LGT/Estt/2024-25/224-29

Dated 20/04/2024.

- Sub: O. A No.163/2024 Titled Rasikh Rasool Bhat V/s Union Territory of Jammu & Kashmir & Ors.
- Ref: 1. Principal Chief Conservator of Forests (HOFF) J&K Government office communication No.PCCF/Lit/2/OWP/20214/507-10 Dated 27.02.2024 & No.PCCF/Lit/2/OWP/2024/706-09 Dated 13.03.2024.
2. APCCF/Chief Conservator of Forests Kashmir Srinagar's Office Letter No.CCF(k)/LO/2024/282-85 Dated 20.04.2024.

Sir,

In continuation to this office communication No:- DFO/LGT/Estt/2023-24/3859-60 Date:- 28-02-2024, it is submitted that as per Government Order No:-281-FST of 2019 Dated 24.09.2024 issued by the Commissioner/Secretary to Govt Forest, Environment and Ecology Department Civil Secretariat Srinagar/Jammu under Endorsement No. FST/Land/44/2017 Dated:-24.09.2019 (copy enclosed) use of 14 hac of Forest Land passing through compartment 2,3a,3b,4,5,6,10,11,12,13,14,15,16,24,25,26/Rajwar of Rajwar forest Range has been allowed for construction of road Handwara to Bungus Phase-I to convert the destination in to major tourist attraction as Gulmarg and with much wider meadows and vast majority of flora and fauna and the road will benefit population of 80000 people and in the said Government order it has been ordered that 1023 deodar/Kail/Fir trees of different Dia-classes including poles/saplings be handed over to State Forest Corporation now Forest Development Corporation for extraction/transportation of the trees/poles/saplings on the basis of markings administratively approved by the Chief Conservator of Forests Kashmir. It has been further ordered in the aforesaid government order that the marking for tree felling will be done in consultation with the User agency and effort shall be made to save maximum no of trees/poles/saplings and the cost of extraction shall be paid by the User

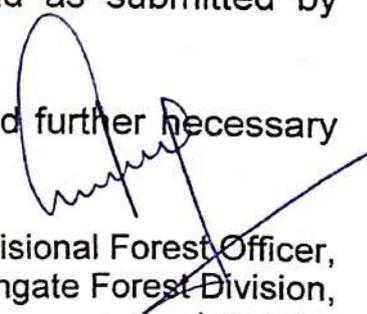
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agency directly to the agency executing the extraction work and on the basis of said government order issued by the competent authority and in accordance with the administrative approval issued by the Chief Conservator of Forests Kashmir the trees in question have been handed over to erstwhile State Forest Corporation now Forest Development Corporation for its exploitation and further disposal. It is further submitted that as per records during execution/construction of said road the User agency has damaged 05 No's of Fir trees of different Dia-class in Co.26/Rajwar and damage bill of Rs.225890.00 has been raised/charged against the user agency and matter has been taken up with the Executive Engineer (PWD/R&B Division Handwara) for deposition of said amount vide this office communication No:- DFO/LGT/Estt/2022-23/22-24 Dated:- 09.04.2022 followed vide communication No. DFO/Lgt/Estt/2022-23/1220-23 Dated:- 25.07.2022 and the matter stands also taken up with the Chief Engineer PWD(R&B) Kashmir by the Chief Conservator of Forests Kashmir vide communication No CCF(K)/L/22/751-56 Dated:- 11.11.2022 (Copies enclosed).

Moreover it is submitted that the Forest Field staff has taken cognizance of standing Government orders/Guidelines and as a consequence whereof lodged FIR No:-449/2018 and FIR No:- 239 of 2023 in police station Handwara against the contractor and other violators. Besides with regard to extraction of river bed material from Talri Nalla the area falls outside the reserved forests area and the said Nalla is being looked after by Geology and Mining Department, as reported by Range Officer Rajwar.

Further the Geo-tagged photographs of the said road as submitted by Range Officer Rajwar are also enclosed herewith.

Hence report is submitted for favour of information and further necessary action.

Encl:- photographs.


Divisional Forest Officer,
Langate Forest Division,
Langate.

Copy Submitted for favour of information and necessary action to the:-

1. Principal Chief Conservator of Forests (HoFF) J&K Government Jammu/Srinagar.
2. APCCF/Chief Conservator of Forests, Kashmir Srinagar.
3. Deputy Commissioner Kupwara
4. Copy to District Geology and Mining Officer Kupwara for information.
5. Copy to Executive Engineer Irrigation and Flood Control Division Handwara.


Government of Jammu and Kashmir
Department of Forest, Environment & Ecology
Civil Secretariat, Jammu / Srinagar.
www.jkforestadm.nic.in

Subject:- Use of 14 Ha. of forest land for construction of road from Handwara to Bangus Phase 1st by PWD (R&B) in Langate Forest Division.

- Reference:-**
- (i) Minutes of the 102nd meeting of the Forest Advisory Committee held on 06.09.2017 under the Chairmanship of Chief Secretary J&K, issued by the Chief Conservator of Forests/Nodal Officer (FCA) vide No. PCCF/FCA/2450/4143-63 dated: 12.09.2017.
 - (ii) Cabinet Decision No. 178/11/2017 dated 03.10.2017.
 - (iii) State Administrative Council Decision No. 189/19/2019 dated 30.07.2019.

Government Order No: 281-FST of 2019
Date:- 24 -09-2019

Sanction is hereby, accorded to the use of 14 Ha. of forest land for construction of road from Handwara to Bangus Phase 1st by PWD (R&B) in Langate Forest Division with the following particulars subject to the terms and conditions appearing hereinafter to the Forest Department:-

Details of the Proposal:

1.	User Agency/Applicant	PWD (R&B) Kashmir
2.	Location	Comptt. : 2,3a,3b,4,5,6,10,11,12,13,14, 15,16,24,25,26/Rajwar Range : Rajwar Block : Handwara Division : Langate Forest Division District : Kupwara.
3.	Objective	The road will convert the destination into major tourist attraction as Gulmarg and with much widen meadows and vast majority of flora and fauna. The road will benefit population of 80,000 people.
4.	Salient Features of the project:	
	I	Total Length of the road
		35.50 Km.
	II	Length of the road through Forest land
		28000 Mtrs.

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III	Width of the road	6.00 Mtrs.
IV	Therefore forest land required for road	14 Ha.
V	Area proposed for the Muck disposal sites on Forest Land	Nil. The PWD Department has given a certificate that the alignment of road from Handwara to Bangus phase 1 st by way of earth work in cutting and filling as such no surplus muck disposal site is required.
VII	Total forest area involved in the proposed project	14 Ha.
VIII	Protection work	The User Agency shall provide the protection on the forest land by retaining walls and crush barriers as given in the DPR.
5.	Crop Density of the area	Very Dense
a	Whether the forest land proposed to be used for non forest purpose forms part of a natural reserve, national park, wildlife sanctuary, biosphere reserve or forms part of the habitat of any endangered or threatened species of flora and fauna or any area lying in severely eroded catchment.	No
b	Whether the use of any forest land is for agriculture purposes or for the rehabilitation of displaced persons.	No
c	Whether the Principal Chief Conservator of Forests had certified that it has, considered all other alternatives and that no other alternative in circumstances are feasible and that the required area is the minimum needed for the purposes, and,	Yes
d	Whether the department or authority requisitioning forest land for non forest uses undertakes to provide at its own cost acquisition of an equivalent area and afforestation thereof.	The User Agency requisitioning forest land for non-forest purpose has not undertaken to provide cost of acquisition at its own. It has however agreed to provide cost of afforestation on double the forest area. Further it has also undertaken to pay the NPV as per the Hon'ble Supreme court directions.

Number of Trees / Poles/ Saplings involved.					
Species	Trees (30-40cm & above)	Poles (20-30cm & 10- 20cm)	Saplings (0-10cm)	Total	
Deodar	137	217	175	529	
Kail	43	92	38	173	
Fir	267	31	23	321	
Total	447	340	236	1023	
Net Present Value of forest land involved:					
Comptt. No.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amount (Rs.)
2,3a,3b,4,5, 6,10,11,12,1 3,14,15,16, 24, 25,26/Rajwa r	14	Very Dense	V	9.39	1,31,46,000/-
8.	Compensatory Afforestation for double the forest area i.e 28 @ Rs. 1 Lac per Ha.				Rs. 28,00,000/-
9.	Compensation of trees/poles/saplings				Rs.53,67,360/-
10.	Road side avenue plantation @ 6.00 Lac per Km.				Rs.1,68,00,000/-

The User Agency shall pay the amount summarized below to the Forest Department:-

S.No.	Component	Amount
i	Net Present Value	Rs.1,31,46,000/-
ii.	Compensatory Afforestation	Rs. 28,00,000/-
ii.	Compensation of trees	Rs.53,67,360/-
iii.	Road Side Avenue Plantation	Rs.1,68,00,000/-
Total		Rs. 3,81,13,360/-

Terms and Conditions:-

1. The proprietary and legal status of forest land shall remain unchanged.
2. The User Agency and /or its contractors will not bring any forest area under their use, other than the actual area/activity approved by the Government for the instant proposal. Any laxity or deviation on this account by the User Agency or its contractors will attract penal provisions of the relevant Acts/legal provisions.
3. The forest land shall be utilized only for the purpose for which it has been indented. ~

[Handwritten signature]

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4. The forest land shall not be mortgaged, reassigned, leased or sub-leased by user agency in any manner what so ever to any other agency.
 5. The User Agency shall pay the amount summarized above to the Forest Department.
 6. The User Agency shall pay the additional amount of NPV, if so determined as per decision of the Hon'ble Supreme Court of India.
 7. (i) The extraction of the trees /poles/saplings shall be done by the State Forest Corporation/Divisional Forest Officer concerned on the basis of markings administratively approved by the Chief Conservator of Forests, Kashmir. The marking for tree felling will be done in consultation with the user agency and effort shall be made to save maximum number of trees/poles/saplings. The cost of extraction shall be paid by the User Agency directly to the agency executing the extraction. Efforts shall be made to reduce the number of trees coming in the alignment by 20%
(ii) The fundamental rule for marking of trees, enumerated during processing of the proposals, will be to save maximum number of trees without compromising with the construction and maintenance of the approved project structure and no trees/poles/saplings will be felled/cut/pruned/ lopped for purposes/project activities other than those approved/sanctioned.
 8. The User Agency shall construct retaining walls/breast walls on forest land and take all necessary steps to check soil erosion which may result due to proposed construction.
 9. Any damage done to the forest by the User Agency or its contractors shall be charged from the User Agency @ 10 times the standard rate of 1992.
 10. The forest land so allowed for use shall return to the Forest Department free of any encumbrances when it is no longer required by the User Agency.
 11. The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue before commissioning of the project.
 12. The approval will remain valid for one year and in case the due amount against the project summarized above is not paid within the stipulated period the approval shall be deemed to have been cancelled.

By order of the Government of Jammu & Kashmir.

Sd/-

(Manoj Kumar Dwivedi)IAS

Commissioner / Secretary to Government
Forest, Environment & Ecology Department.

Dated:- 24 -09-2019.

No:FST/Land/44/2017

Copy to the:-

1. Secretary to the Government of India, Ministry of Environment, Forests and Climate Change, New Delhi.
2. Commissioner/Secretary to Government, PWD(R&B) Department.
3. Principal Chief Conservator of Forests, J&K, Srinagar
4. Chief Conservator of Forests, Kashmir
5. CCF/Nodal Officer, FCA, office of the PCCF, J&K, Srinagar
6. Director, Archives, Archaeology & Museums J&K, Srinagar
7. Chief Engineer, PMGSY, Kashmir.
8. Officer on Special Duty with the Advisor (K) to Hon'ble Governor.
9. Private Secretary to the Chief Secretary (Chairman FAC).
10. Pvt. Secy. to Commr./Secretary to Government, Department of Forests, Environment & Ecology
11. Pvt. Secy. to Secretary (Technical) Department of Forest, Environment & Ecology.
12. Government order file.(w.2.S.Cs)

Under Secretary to Government
Forest, Environment & Ecology Department.

to item 7 of First Information Report i.e. (I.F.R.)
 features deformities and other details of the suspect
 (if known/seen)

Date Year of Birth	Built	Height (cms)	Complexion	Dist. (marks)
3	4	5	6	7

Teeth	Hair	Eyes	Habits	Dress Habits
8	9	10	11	12

Scars	Other Marks	Other
13	14	15

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 necessary conversation permission of
 filed trees may lady & attended
 so that these filed trees be saved
 as there is chances of shaft of
 these filed trees and necessary hel-
 ease permission to CSO lady may
 lady & gentle. *(Handwritten Urdu text continues)*

Not Admitted
 19-11-19
 vide order No. Rdr/Pass/2019/10915
 dt: 14-11-2019

atures will be entered only if complainant/informant
 or more particulars about suspect/accused
 یہ جانکاریاں صورت میں درج کریں۔ اگر مفید و اہم ہوں، مزید مشورہ
 آپ سے یا نوٹورہ جانکاریاں دی جاتی ہیں۔

Date	Remarks
06/11/19	Registered the case and took up the investigation or Directed (Name of I.O. to take up the investigation or Refused investigation due to Transferred to P.S. District on point of jurisdiction. FIR read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant free of cost. R.O.A.C. Signature of Officer in charge Police Station Name: <i>Aziz Iqbal</i> Rank: <i>1 nsp</i> No: <i>1234/100</i>
06/11/19	
06/11/19	
06/11/19	
10/11/19	
10/11/19	
10/11/19	
10/11/19	
10/11/19	
10/11/19	
10/11/19	
10/11/19	

13. Acquittal: If the above information reveals commission of
 offence(s) it/s as mentioned at Item No. 2
 کاروائی - یہ نکتہ پر دست بردار ہو چکے ہیں۔

Address in Court

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C. / Under Section 154 of Criminal Procedure Code)

مذکورہ بالا کے مطابق...

1. The Police post zachakara Sub post hadgement of FIR against contractor Bungus Road namely Musharaf Basher Ahangar to Basher Ahmad Ahangar Baramulla and take land driver namely Araf Ahmed mi to motel inghat (mi to Pehlipora (Baramulla) regarding damage caused to surrounding forest in conspH 25/Raj during odd hours of road alignment/extra earth cutting) but with performe to above captioned subject matter, it is to submit your good self that during inspection to road in conspH 25/Raj it has been found that during odd hours the inter-vening night of 19-20/10/2023 by the afore said contractor and take land driver bears force land no 77076007/21 the road alignment has been deviated extra earth cutting has been done these by causing damage to surrounding forest of various spots the photographic pictures is enclosed here with for ready reference. Here it is pertinent to mention that the said area is beyond population (habitation) and we are unable to visit over there on daily basis besides work after of other works of Department which are under process in other compartments the said contractor has violated forest conservation act. Further more the said contractor has made minor quarries and these by utilizing the excavated mulets as carting on the said road and,

District: ضلع لہارہ P.S.: ضلع لہارہ

Year: 2023 Date: 25/10/23

PIR No.: 239/23

Act: 379 IP Sections: 379 IP

Other Acts and Sections: 261F Act

Occurrence of offence: Day: 19/10/23 Date from: 19/10/23

Date to: Time period: Time from: Time to:

Information received at P.S.: Date: 25/10/23 Time: 17:30

General Diary Reference: Entry No.: 33 Time: 17:30

Type of Information: Written/Oral

Place of Occurrence: (a) Direction and distance from P.S. (b) Address: 27-12-23

Complainant/Informant: (a) Name: (b) Father's/Husband's Name: (c) Date/Year of Birth: (d) Nationality: (e) Passport No.: (f) Occupation: (g) Address:

Reason for delay in reporting by the complainant/informant:

Particulars of properties stolen/involved (Attach separate sheet if necessary):

Total use of property stolen: Rs. 36000/- Recovered

Inquest Report/U.D. case No. if any:

First Information Contents (Attach separate sheet, if required):

Item 7 of First Information Report i.e., (I.F.R.) - (اگر چاہتے ہو تو مزید تفصیلات درج کروائیں)

Date of Birth	Build	Height (cms)	Complexion	Identification mark(s)
15/07/1975	4	5	6	7

Sum Mark	Leucoderma	Mole	Scar	Tattoo
15	16	17	18	19

and steals the forest produce (Sisal/Roads) and sell in the adjacent areas. Hence it is requested to your good self that file be lodged against them so that no further damage be done by the contractor to the surrounding forest area. Further more a video is lying with us and can be shown as and when you find self wish for that enclosed photo. (graph) acceptance letter) Pwais Shomus (MTS) set in English of Beat Nazim Ahmad set in English B-10 Waddar Tariq Abdulla set in English

Handwritten notes in Urdu script, including a signature and date: 26/11/2015

Details will be entered only if complainant/informant provides more particulars about suspect/accused.

Date	Particulars
25/11/15	...
26/11/15	...
27/11/15	...
28/11/15	...
29/11/15	...
30/11/15	...
01/12/15	...
02/12/15	...
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24/12/15	...
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26/12/15	...
27/12/15	...
28/12/15	...
29/12/15	...
30/12/15	...

Action taken. Since the above information reveals commission of offence(s) as mentioned at Item No. 2

- Registered the case and took up the investigation. or
- Directed (Name of Officer) to take up the investigation of
- Refused investigation due to
- Transferred to P.S. District on point of jurisdiction. FIR read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant free of cost

Signature of Officer-in-charge, Police Station: [Signature]

Name: [Name]

Rank: msp No. 7166

Signature/Thumb impression of the complainant/informant: [Signature]

Date and time of despatch to the court: 26/11/15



Latitude: 34.369779
Longitude: 74.141629
Elevation: 1891.52±6 m
Accuracy: 7.3 m
Time: 20-04-2024 13:02
Note: NEW BUNGUS ROAD

62

Latitude: 34.379845
Longitude: 74.079053
Elevation: 2623.98±10 m
Accuracy: 6.9 m
Time: 03-11-2023 16:13



63

Latitude: 34.379827
Longitude: 74.079022
Elevation: 2621.98±4 m
Accuracy: 3.1 m
Time: 03-11-2023 16:13





Latitude: 34.382527
Longitude: 74.082933
Elevation: 2529.73±23 m
Accuracy: 1.9 m
Time: 12-10-2023 15:07



Latitude: 34.336371
Longitude: 74.292937
Accuracy: 2900.0 m
Time: 04-20-2024 12:33
Note: 2 rest



Latitude: 34.390907
Longitude: 74.316771
Accuracy: 4300.0 m
Time: 04-20-2024 12:50
Note: 2 rest