

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT, FOREST DEPARTMENT**

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Subject:- Diversion of Forest Land for construction of Single Line Broad Gauge Rail link Kouri to Judda.

Reference:- Cabinet Decision No. 105/8 dated 07.06.2005.

**GOVERNMENT ORDER NO: 254/FST OF 2005
D A T E D 16 - 06 - 2005**

Sanction is accorded to the diversion of Forest Land measuring 40.5 Ha falling in Compartments No. 91/Arnas to 96/Arnas of Forest Division Mahore for construction of Single Line Broad Gauge Rail Link- Kouri to Judda by Konkan Railway on the following conditions:

- i. The proprietary status of the forest land shall remain unchanged.
- ii. The forest land so diverted shall be utilized only for the purpose for which it has been diverted. It shall not be transferred to any other agency without approval of the Forest Department.
- iii. The Forest land so diverted shall not be mortgaged, re-assigned or sub-leased by user agency in any manner whatsoever to any other agency.
- iv. The user agency shall pay compensation for land as would be assessed by the concerned DFO as per the Hon'ble Supreme Court order dated 30.10.2002 and 01.08.2003 in I.A No. 566 in Writ Petition (Civil) No. 202 of 1995, as per the net present value.
- v. The user agency shall be bound to pay an amount of Rs.81,64,000/- (Rupees eighty one lacs sixty four thousands only) on account of compensation of 10515 number of trees of different species and dia-classes
- vi. The user agency shall pay Rs.8.083 lakhs (Rupees eight lacs eight thousand and three hundred only) on account of Compensatory Afforestation to be carried over 81 Hac.
- vii. The extraction of trees shall be done by the SFC/Forest Department on the basis of marking list approved by Conservator of Forests, Working Plan and Research Circle
- viii. Any damage done to the forest by the user agency or its employees and contractors or people employed by them shall be charged from the user agency @ ten times the standard rate of 1992.
- ix. The user agency will construct complete retaining/breast walls on the both sides of the road and take other necessary steps, so as to minimize soil erosion/land slips
- x. The forest land so diverted shall return to the Forest Department when it is no longer required by the user agency without any costs.
- xi. The user agency shall pay any other amount which will become payable as per Hon'ble Supreme Court Order dated 30.10.2002 and 01.08.2003 in I.A No. 566 in Writ Petition (Civil) 202 of 1995 T.N. Godavarman Thirumalpad V/S Union of India.
- xii. The user agency shall get Environmental Impact Assessment Study done and submit the report in stipulated time. Its prescription shall be mandatory for the user agency

The proposal stands cleared/approved by the Advisory Committee in its 29th meeting held under the Chairmanship of Chief Secretary on 06.06.2005.

By order of the Government of Jammu and Kashmir.

Sd/-
(NAJAMUS SAQIB) IAS,
Commissioner/Secretary to Government,
Forest Department.

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Nol - Fst/Land/25/2005

Dated 1-16-06-2005

Copy to the:-

1 Principal Secretary and Secretary to Government General Adm. Department.
2 Principal Chief Conservator of Forests, J&K Jammu.
3 Conservator of Forests, Working Plan Member Secretary (Advisory Committee)
4 Spl. Assistant to Hon'ble Forest Minister.
5 Pvt. Secretary to Commissioner/Secretary to Govt.(Forests)
6 Government order file (w,2,s.c)
7 Stock file.


**Deputy Secretary to Government,
Forest Department.**

16/06

OFFICE OF THE PR.CHIEF CONSERVATOR OF FORESTS


No:PCCF/FC/495/250-63

DT: 22/05/2005

Copy for information and n/action strictly in accordance with the terms and conditions as laid down in the aforesaid order and ensure early recoveries before the area is handed over to the user agency forwarded to the:-

- N.A
1. The Chief Conservator of Forests, Jammu.
 2. Conservator of Forests, West Circle.
 3. Conservator of Forests, Working Plan(Member Secy. Advisory Committee).
 4. Divisional Forest Officer, Mahore.
 5. Dy. Chief Engineer, Konkan Railway, Reasi.

Order file


Nodal Officer

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