

Government of Jammu and Kashmir  
Forest Department, Civil Secretariat

Subject: Diversion of Forest Land for construction of Mughal Road, Shopian Division.

Government Order No: 384 - FST of 2005

Dated: 27 - 09 - 05

Sanction is hereby accorded to the diversion of Forest Land measuring 9.45 Hectares falling under Compartment No. Rb-1ab, Rb-2b, Rb-6 of Block Hirpora, Range Shopian, Shopian Forest Division for construction of Mughal Road by PWD (R&B) on the following conditions:-

1. The proprietary status of forest land shall remain unchanged.
2. 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.
3. The forest land so diverted shall not be mortgaged, reassigned or sub-leased by user agency in any manner what so ever to any other agency.
4. The User Agency shall pay Net Present Value of Forest land 9.45 hac, as would be assessed by the concerned DFO as per Hon'ble Supreme Court Order dated 30-10-2002 in I.A. No: 566 in Writ Petition (Civil) No: 202 of 1995 T.N. Godavarman Thirumalakpad V/S Union of India. However the DFO Shopian has calculated the cost of land at the rate of Rs.22 lac per Hect. as assessed by the revenue authorities which comes to Rs.2,07,90,000/-
5. The User Agency shall be bound to pay an amount of Rs.1,31,56,420/- on account of compensation of 1621 number of trees of different species and dia-classes.
6. The User Agency shall pay Rs. 2, 83,500/- on account of compensatory afforestation to be carried over 118.50 Ha.
7. The extraction of trees shall be done by the State Forest Corporation/Forest Department on the basis of marking list approved by Conservator of Forests, Working Plan Circle.
8. 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 at the rate of ten times the standard rate of 1992.
9. 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.
10. The forest land so diverted shall return to the Forest Department when it is no longer required by the User Agency without any cost.
11. The user agency shall get done Environment Impact Assessment and also prepare the Environment Management Plan as required in the Environment Protection Act before taking up the execution of work.
12. The money on account of various heads to be paid by the user agency as detailed above shall be deposited with Chief Accounts Officer in the office of PCCP.

The proposal stands cleared/approved by the Advisory Committee in its 30<sup>th</sup> meeting held under the Chairmanship of Chief Secretary on 16.8.2005.

By order of the Government of Jammu and Kashmir.

Special Secretary to Government  
Forest Department

No: FST/Land/16/2005

Dated: 28-09-2005

Copy to the:-

1. Commissioner Secretary to Govt. PWD (R&B).
2. Pr. Chief Conservator of Forests, J&K Srinagar.
3. Conservator of Forests, working plan, Member Secretary (Advisory Committee).
4. C.E PWD (R&B) J&K Srinagar.
5. Special Asstt. To HFM.
6. Pvt. Secy. to Comm. Secy. to Govt. (Forest).
7. Govt. order file. (w.2.s.c).
8. Stock file.

Deputy Secretary to Govt.  
Forest Department

GOVERNMENT OF JAMMU & KASHMIR  
OFFICE OF THE PR. CHIEF CONSERVATOR OF FORESTS  
\*\*\*\*\*

NO: PCCF/FC/499/391-BS

DT: 06/03/2006.

Copy of Govt. order alongwith its corrigendum for information and necessary action strictly in accordance with the terms and conditions as provided in the body of Govt. order and ensure early recoveries before the are is handed over to the user agency forwarded to:-

1. The Chief Conservator of Forests, Kashmir.
2. Conservator of forests, Working Plan Circle (Member Secretary to Advisory Committee).
3. Conservator of forests, South Circle, Bijbehara.
4. Divisional Forest Officer, Shopin Forest Division.
5. Executive Engineer, PWD Division Shopian (Mughal Road Division).

Nodal Officer