



Government of Jammu and Kashmir
Forest Department, Civil Secretariat

Subject: Diversion of Forest Land for construction of Nachinala-Mahumangit road Km.9-28 renamed as extension of Nachinala road Mundakbass upto Admarg Km.8-17 (10).

Government Order No: 402 FST of 2005

Dated: 10/10/05

Sanction is accorded to the diversion of Forest land measuring 10.44 Hectares falling under Compartment 35,37b,38,39 & 40/Bnl of Block Mohu, Range Banihal, Forest Division Ramban for construction of Nachinala-Mahumangit road KM 9-28 renamed as extension of Nachinala road Mundakbass upto Admarg Km 8-17 (10) by Executive Engineer PWD Division Ramban 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 compensation of forest land 10.44 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.
5. The User Agency shall be bound to pay an amount of Rs. 26,95,898/- on account of compensation of 201 trees and poles (14962.59 cfts) of different species and dia-classes.
6. The User Agency shall pay Rs. 2,10,000/- on account of compensatory afforestation to be carried over 20.88 ha.
7. 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 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 also pay any other amount which will become payable as per orders of Hon'ble Supreme Court Order dt 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.
12. The mode of payment of compensatory afforestation shall be according to Compensatory Afforestation Fund Management and Planning Authority (CAMPA) and shall be communicated lateron.
13. The user agency shall get done Environment Impact Assessment and also prepare the Environment Plan for submission of same to Forest Department before taking up of actual execution of work.

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

By order of the Govt. of J&K.

Sd/-

Abhai Kumar, IFS
Secretary to the Govt.
Forest Department

Dated: 4-10-2005

No: Fst/Land/29/2005

Copy to the:-

1. Pr. Chief Conservator of Forests, J&K Srinagar.
2. Conservator of Forests, working plan, Member Secretary (Advisory Committee).
3. Executive Engineer PWD (R&B) Div. Ramban.
4. Special Asstt. To HFM.
5. Pvt. Secy. to Comm. Secy. to Govt. (Forest).
6. Govt. order file/stock file (w.2.s.c).

Deputy Secretary to Govt.
Forest Department

3/10

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

NO:PCCF/FC/ 72/659-63

DT: 24/10/2005.

Copy 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 area is handed over to the User Agency forwarded to:-

1. The Chief Conservator of Forests, Jammu.
2. The Conservator of Forests, Working Plan.
3. The Conservator of Forests, Chenab Circle, ~~Sopore~~ Do la.
4. Divisional Forest Officer, Ramban .
5. Chief Engineer, PWD(R&B) Jammu.

Govt. order file.

Accepted
Nodal Office

Noted