

11709
5-10/05

Government of Jammu and Kashmir
Forest Department, Civil Secretariat

Subject: Diversion of Forest Land for construction of Chinta- Chinchora Jaigathi Water point Army Road.

Government Order No: 403 FST of 2005

Dated: 4-10-05

Sanction is accorded to the diversion of Forest Land measuring of 5.536 Hectares falling under compartment No.3,4/Neru of Neeru Range and 31,32/Jai Chicalla Range of Bhaderwah Forest Division for construction of Chinta Chinchora Jaigathi Water point Army road by Defence Estate Officer, Northern Command C/O 56 APO 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 5.536 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. 19, 27,000/- on account of compensation of 198 numbers of trees/poles of different species and dia-classes.
6. The User Agency shall pay Rs. 2, 00,000/- on account of compensatory afforestation to be carried over 11.072 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 Plan for submission of same to Forest Department before taking up 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 PCCF.

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. Special Asstt. To HFM.
4. Pvt. Secy. to Comm. Secy. to Govt. (Forest).
5. 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/⁵¹⁹~~Chinath~~/675-79

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, ~~Supare Dada~~
4. Divisional Forest Officer, Bhaderwah Forest Division.
5. Defence Estate Officer, Northern Command C/o 56 APO.

G.O file

Accepted
Nodal Office: