

11698  
5-10/05

Government of Jammu and Kashmir  
Forest Department, Civil Secretariat

Subject: Diversion of Forest Land for construction of Battal Narojia Katao Road.

Government Order No: 404 FST of 2005

Dated: 4-10-05

Sanction is accorded to the diversion of forest land measuring 15.18 Hectares falling under Compartment No.177/D of Block Sunderbani, Range Sunderbani of Nowshera Forest Division for construction of Battal Narojia Katao Road by 57 RCC(GREF) 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 15.18 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. 1,04,528/- on account of compensation of 80 number of trees/poles of different species and dia-classes.
6. The User Agency shall pay Rs. 6,07,200/- on account of compensatory afforestation to be carried over 30.36 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 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 User Agency shall get done Environment Impact Assessment and preparation of Environment Management Plan as per the Environment Notification June, 1994 and submit the same to the Commissioner./Secretary, Forest Department before execution of work.

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 Govt. of J&K.

Sd/-

Abhai Kumar, IFS  
Secretary to Govt.  
Forest Department

Dated: 4-10-2005

No: Fst/Land 129/2005

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

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GOVERNMENT OF JAMMU & KASHMIR  
OFFICE OF THE PR. CHIEF CONSERVATOR OF FORESTS  
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NO: PCCF/FC/ 440/758-84 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, West Circle, Rajouri.
4. Divisional Forest Officer, Nowshera Forest Division.
5. Officer Commanding, 57 RCC (GREF) C/O 56 APO.

C.O. file.

  
Nodal Officer