

**GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECTT: FOREST DEPARTMENT.**

.....

Subject:- **Diversion of 4.52 ha Forest Land for construction of Gravity Feeder Channel for improvement & augmentation of Rajal lift Irrigation Scheme.**

Reference: **Cabinet Decision No. 57/4 dated: 11.05.2006.**

GOVERNMENT ORDER NO. 276 - FST OF 2006
D A T E D: 18 - 05 - 2006

Sanction is accorded to diversion of Forest Land measuring 4.52 Ha falling under Compartment No. 155/N, 156/N and 157/N, in Rajal Block, Range Lamberi, Nowshera Forest Division for construction of Gravity Feeder Channel for improvement and augmentation of Rajal lift Irrigation Scheme on the following conditions.

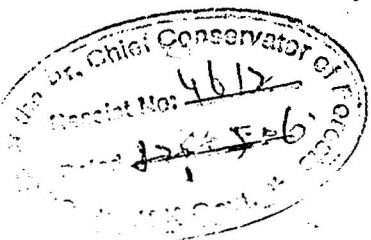
1. The proprietary status of forest land shall remain unchanged.
2. The forest land so diverted shall be utilized only for the purpose for which it has been diverted. It shall not be transferred to any other agency without approval of the Forest Department.
3. The forest land so diverted shall not be 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 to the tune of Rs. 31,64,000/- as calculated 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 titled T.N.Godavarman Thirumalakpad V/S Union of India.
5. The User Agency shall be bound to pay an amount of Rs. 3,00,908/- (Rs. Three lacs nine hundred & eight only) on account of compensation of 522 number of trees/poles & 1400 bundles of bushes of different species and dia-classes.
6. The User Agency shall pay Rs. 5,00,000/- (Rupees five lacs only) on account of compensatory afforestation to be carried out over 9.04 ha.
7. The extraction of trees shall be done by State Forest Corporation/Forest Department on the basis of marking list approved by the 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 as penalty.
9. The user agency shall construct complete retaining/breast walls on both sides of the road/railway line/earth work/tunneling etc., and take other necessary steps, so as to minimize soil erosion/land slips. In this regard, the user agency shall seek technical guidance from Director, Soil Conservation Department, J&K.
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 or Government/Forest Department, J&K.
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.
13. The possession of forest land diverted for non-forestry purpose under the orders of the competent authority, should not be handed over to the user agency till all payments due against Compensation of trees, NPV/Compensation of land, compensatory afforestation costs etc. are not received in full by the Forest Department.
14. In such proposals where heavy soil cutting/felling is likely to be involved, the user agency shall formulate appropriate Soil Conservation Management Plan with the consultation of Soil Conservation Department, J&K Govt. The implementation of the same, alongwith the other terms and conditions put by the Advisory Committee, shall be

monitored by a committee of officials comprising of one official from Soil Conservation Department.

15. The user agency should ensure the availability of funds under appropriate heads for making payments due to the Forest Department as per the conditions stipulated in the order of transfer of forest land.

The proposal stands cleared/approved by the Advisory Committee in its 32nd meeting held under the Chairmanship of the Chief Secretary on 16.01.2006

By order of the Government of Jammu and Kashmir



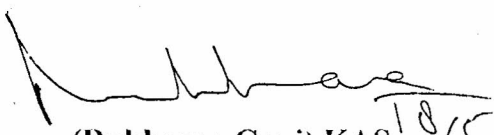
Sd/-
(Najam Saqib), IAS
Commissioner/Secretary to Government,
Forest Department.

NO: FST/Land/05/2006

Dated: 18.05.2006.

Copy to the:-

1. Principal Chief Conservator of Forests, J&K Srinagar.
2. Chief Engineer Irrigation Department, Jammu.
3. Conservator of Forests, Working Plan and Research Circle (Member Secretary) Advisory Committee.
4. Spl. Assistant to Hon'ble Forest Minister.
5. Pvt. Secretary to Commissioner/Secretary (Forests.)
6. PA to Secretary (Tech.) Forests.
7. PA to Deputy Secretary (Forests.)
8. Government order file (w,2,s,c.)
9. Stock file.


(Rukhsana Gani), KAS 18/5
Deputy Secretary to Government,
Forest Department.

Lala

Nodal Officer

AM Pk 2315
22/5/06

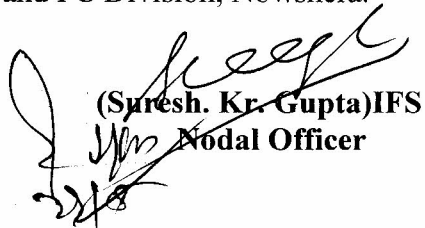
Office of the Pr. Chief Conservator of Forest, J&K, Srinagar

NO:PCCF/FC/ 529/1044-48

DT: 1-6/2006.

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. Conservator of forests, Working Plan Circle(Member Secy. Advisory Committee).
3. Conservator of forests, West Circle, Rajouri.
4. Divisional Forest Officer, Nowshera Forest Divisions.
5. Executive Engineer, Irrigation and FC Division, Nowshera.



(Suresh. Kr. Gupta)IFS
Nodal Officer