

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

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Subject :-Diversion of Forest Land for construction of access road from Nachlana-Bhatta-Katra-Qazigund Railway track Laole Sector by Northern Railway through IRCON International Ltd. Km. 1 to RD-8375.

Reference:- Cabinet Decision No. 04/Cir dated 31.01.2006.

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**GOVERNMENT ORDER NO. 50 - FST OF 2006
D A T E D : 02 .02. 2006**

Sanction is accorded to diversion of forest land measuring 11.40 Ha. falling under Compartment No.s 6b, 7 and 8/Bnl in Sarbagni Block, Range Banihal, Ramban Forest Division for construction of access road from Nachlana- Bhatta-Katra- Qazigund Railway Track Laole Sector by the Northern Railway through IRCON International Ltd. Km.1 to RD-8375 on the following terms and 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 11.40 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. 25, 82,813/- on account of compensation of 588 number of trees/poles of different species and dia-classes.
6. The User Agency shall pay Rs. 2, 30,000/- on account of compensatory afforestation to be carried over 22.80 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 mode of payment of compensatory afforestation shall be according to Compensatory Afforestation Fund Management and Planning Authority (CAMPA) and shall be communicated later on.
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.

Order file

The proposal stands cleared/approved by the Advisory Committee in its 30th Meeting held under the Chairmanship of Chief Secretary on 16.08.2005.

By order of the Government of Jammu and Kashmir.



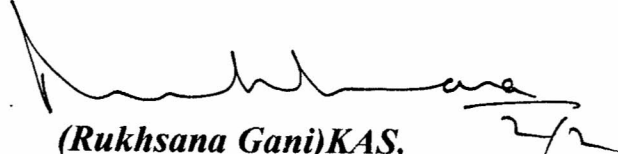
NO: FST/Land/29/2005

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

dated: 02.02.2006.

Copy to the:-

1. Principal Chief Conservator of Forests, J&K Jammu.
2. Spl. Assistant to Hon'ble Forest Minister.
3. Pvt. Secretary to Commissioner/Secretary (Forests).
4. P.A. to Secretary (Technical) Forests.
5. Government order file (w,2,s,c.)
6. Stock file.


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

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