

Government of Jammu and Kashmir
Civil Secretariat, Forest Department

Subject :- Diversion of 11.74 ha of Forest Land for construction Mahagola Tareru, Dhaleri Khwas road by GREF in Nowshera & Rajouri Forest Division.

Government Order No: 526 -FST of 2006

Dated: 17.10.2006.

Sanction is hereby accorded to diversion of Forest Land measuring 11.74 ha falling in Co. No: 199/ Kalakote of Dhaleri block, Kalakote Range, Rajouri Division and Co. Nos: 11/D, 13/D, 14/D, 16/D & 17/D of Tareru Block, Lamberi Range, Nowshera Forest Division for construction of Mahagola-Tareru-Dhaleri-Khawas road by GREF (Sampark), 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, re-assigned 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 the forest land to the tune of Rs. 82,18,000/- (Rs. Eighty-two lacs eighteen thousand only) (Rs. 52,50,000 in Rajouri Forest Division & Rs. 29,68,000/- in Nowshera Forest Division) as calculated by the concerned DFO, Rajouri & DFO, Nowshera Forest Division/Conservator of Forests, West Circle, Rajouri, as per 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 Thirumalpad V/S Union of India.
5. The User Agency shall be bound to pay an amount of Rs. 17,25,490/- (Rs. Seventeen lacs twenty-five thousand four hundred ninety only) (Rs. 11,54,963 in Rajouri Forest Division & Rs. 5,70,527 in Nowshera Forest Division) on account of compensation of 1176 number of trees/poles of different species and dia-classes coming in the alignment (Rajouri = 550 Trees/Poles & Nowshera = 626 Trees/Poles).
6. The User Agency shall pay Rs. 6,00,000/- (Rs. Six lacs only) (Rs. 3,75,000/- of 15 ha in Rajouri Forest Division & Rs. 2,25,000/- of 8.48 ha in Nowshera Forest Division) on account of compensatory afforestation to be carried over double the area.
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 shall construct complete retaining/breast walls on the 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 user agency shall submit an undertaking that in case of any upward revision of rates of Net Present Value, the user agency will pay the amount of differential Net Present Value.
13. The user agency shall ensure to get Environmental clearance of the over all project as per Environment Protection Act before taking up the execution of work.
14. 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 deposited with Chief Accounts Officer in the office of the PCCF. Before

handing over the possession of the Forest land it should be further ensured that there are no outstanding dues with the said User Agency in respect of the cases sanctioned in the past.

The proposal stands cleared / approved by the Advisory Committee in its 34th Meeting held on 09.08.2006 under the Chairmanship of worthy Chief Secretary - J&K.

By order of the Government of Jammu and Kashmir.

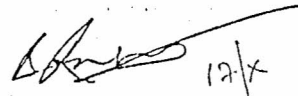
Sd/-
(Najamus Saqib), IAS
Commissioner Secretary to Government
Forest Department

No: FST/ Land/ 88/ 2006

Dated: 17-10.2006.

Copy to the:-

1. Pr Chief Conservator of Forests, J&K, Srinagar.
2. Conservator of Forests, Working Plan Circle, (Member Secretary, Adv Committee).
3. Special Assistant to Hon'ble Forest Minister.
4. Private Secretary to MOS Forests.
5. Private Secretary to Commissioner / Secretary, Forests.
6. PA to OSD, Forest Department.
7. GO File (w.2.s.c)
8. Stock file.


(Rohana Batool), KAS
Deputy Secretary to Government
Forest Department
17k


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

NO:PCCF/FCI/ 485/2036-41

Dated: 10 /11/2006.

Copy forwarded 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 to:-

1. 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 Division.
5. Divisional Forest Officer, Rajouri Forest Division.
6. Officer Commanding, 109 RCC GREF C/o 56 APO.


(H.S. Salathia) IFS
Nodal Officer
9/12/06