

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

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**Subject:-** 34.02 Diversion of 1.08 ha of Forest Land coming under Railway track in Compartment 43/Ar T40(P2) Village Sangaldan, Mowalkote of Mahore Forest Division.

**Reference:-** Cabinet Decision No. 180/11 dated: 21.09.2006.

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**GOVERNMENT ORDER NO. 536- FST OF 2006  
D A T E D : 17 - 10 - 2006**

Sanction is accorded to diversion of forest land measuring 1.08 Hectares falling under Compartment No. 43/Ar in Block Sangaldan, Range Gool, Mahore Forest Division for construction of Railway Track in Village Sangaldan, Mowalkote by Dy. CE/S&C-III, Northern Railway Udhampur, 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 the forest land to the tune of Rs. 8,10,000/- (Rs. Eight lacs ten thousand only) 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 T.N.Godavarman Thirumalpad V/S Union of India.
5. The User Agency shall be bound to pay an amount of Rs. 93,455/- (Rs. Ninety-three thousand four hundred fifty-five only) on account of compensation of 76 number of trees/poles of different species and dia-classes.
6. The User Agency shall pay Rs. 54,000/- (Rs. Fifty-four thousand only) on account of compensatory afforestation to be carried over 2.16 ha.
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.

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