

**Subject:** Diversion of 20.48 Ha of forest land at Shalteng to Srinagar Development Authority in Urban Forestry Division, Srinagar.

**Reference:** a) Cabinet Decision No.250/14 dated 23.10.2006

b) Recommendations of the 35<sup>th</sup> meeting of the Advisory Committee (constituted under the J&K Forest Conservation Act,1997)

**Government Order No; S68FST of 2006**

**D.A.T.E.D 26 -10-2006**

Sanction is hereby accorded to diversion of forest land measuring 20.48 ha falling in the Urban Forestry Division Srinagar for development of Housing Colony at Shalteng by the Srinagar Development Authority 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 user agency shall identify and provide alternate land of equal area to the Forest Department. The Forest land shall be handed over to user agency after taking over the alternative land as ordered vide Cabinet decision No. 144/12 dated 18.08.2000.
- 4 The User Agency shall pay Net Present Value of the forest land to the tune of Rs. 1,88,42,000/- (Rupees one crore eighty eight lacs forty two thousand only) in Urban Forestry Division Srinagar 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 Thirumalakpad V/S Union of India.
- 5 The user agency shall pay Rs.10,25,000/- (Ten lacs twenty five thousand only) on account of compensatory afforestation to be carried over 41 ha.
- 6 The user agency shall be bound to pay the compensation of 5000 trees/poles of different species and dia classes as assessed by DFO Urban Forestry Srinagar.
- 7 The User Agency shall be bound to pay the cost of assets such as buildings, chain link fencing etc as assessed by the DFO concerned/Conservator of Forests, Srinagar circle.
- 8 Any damage done to the forests 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 10 times the standard rate of 1992.
- 9 The extraction of trees shall be done by the SFC/Forest Department on the basis of marking list approved by the Conservator of Forests, Working Plan Circle.

- 10 The forest land so diverted shall return to the Forest Department if and when it is no longer required by the User Agency without any cost.
- 11 The user agency shall be responsible to obtain requisite clearances under any other law in vogue.
- 12 The user agency shall submit an undertaking that in case of any upward revision of rates of the Net Present Value, the differential amount shall be deposited with the Forest Department promptly.
- 13 The user agency shall ensure to get environmental clearance of the over all project if required as per Environment Protection Act before taking up execution of the work.
- 14 The possession of forest land diverted for non-forestry purpose under the orders of the competent authority shall not be handed over to the user agency till all payments on account of compensation of trees, NPV/compensation of land, compensatory afforestation, cost of assets etc are deposited with the Forest Department. 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 any cases sanctioned in the past.

By order of the Government of Jammu and Kashmir

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

No:-Fst/Land/114/2006

Dated:- 26 10-2006

Copy to the:-

- 1 Principal Chief Conservator of Forests
- 2 ✓ Chairman Srinagar Development Authority for information.
- 3 Conservator of Forests Working plan and research Circle, (member Secretary Adv. Committee)
- 4 Special Assistant to Hon'ble Forest Minister
- 5 Private Secretary to Commissioner/Secretary Forests
- 6 P.A to OSD Forests
- 7 Coordination Section( w.2.s.c.)
- 8 Stock File.

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

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NO:PCCF/FC/ 249/1983-87

Date: 10/11/2006

(Riyaz Ahmed)

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, Kashmir.
2. Conservator of forests, Working Plan Circle(Member Secy. Advisory Committee ).
3. Conservator of Forests, Srinagar Circle.
4. Divisional Forest Officer, Urban Forestry Division, Srinagar.
5. Secretary, Housing and Urban Development Department, Srinagar.

(H.S. Salathia) IFS  
Nodal Officer