

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

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Subject:- Diversion of 9.04 Hectares of Forest Land for construction of formation with (Banihal Old Alignment) Construction of Umoh Jawahar Tunnel Road, by GREF (Project Beacon).

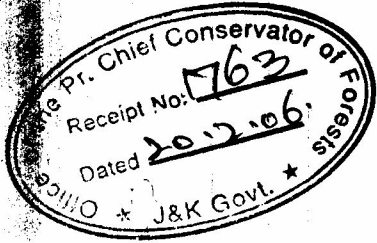
**GOVERNMENT ORDER NO. 74 /FST OF 2006
D A T E : 17 . 01. 2006**

Sanction is accorded to diversion of forest land measuring 9.04 Ha falling under Compartment No. 10, 11, 13a, and 13b/V in Block Tunnel, Range, Qazigund, Anantnag Forest Division for construction of formation with (Banihal Old Alignment) Construction of Umoh Jawahar Tunnel Road by GREF (PROJECT BEACON) 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 Net present value to the tune of Rs. 54,24,000/- (Rupees fifty-four lacs twenty-four 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 Thirumalakpad V/S Union of India.
5. The User Agency shall be bound to pay an amount of Rs. 7,83,570/- (Rs. Seven lacs eighty-three thousand five hundred seventy only) on account of compensation of 146 number of trees/poles of different species and dia-classes + 2201 Saplings.
6. The User Agency shall pay Rs. 2,70,000/- (Rupees two lacs seventy thousand only) on account of compensatory afforestation to be carried over 18.08 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.

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.



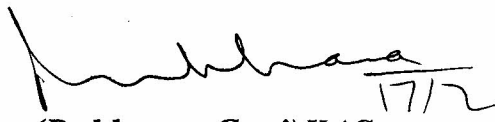
Sd/-
(Najamus Saqib) IAS,
Commissioner/Secretary to Government,
Forest Department.

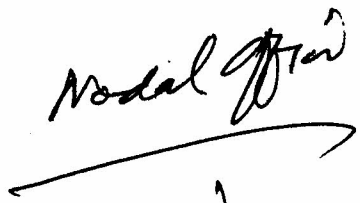

NO:- FST/Land/05/2006

dated: 17.01.2006.

Copy to the:-

1. ✓ Principal Chief Conservator of Forests, J&K Jammu.
2. Conservator of Forests, Working Plan and Research Circle (Member Secretary) Advisory Committee.
3. Spl. Assistant to Hon'ble Forest Minister for information of the Hon'ble Minister.
4. Pvt. Secretary to Commissioner/Secretary (Forests).
5. Government order file (w,2,s,c.)
6. Stock file.


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


Nodal Officer

20/2/06