

**GOVERNMENT OF JAMMU AND KASHMIR  
OFFICE OF THE PR. CHIEF CONSERVATOR OF FORESTS**

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**Subject:-** Diversion of forest land for construction of Malhoti to Dugli via Gajoth road by PWD(R&B) Division, Bhaderwah.

**ORDER No: 16 -FC of 2005.**

**DATED No: 17 - 10 - 2005.**

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Sanction is hereby accorded for the diversion of forest land to the extent of 1.7 Ha. for construction of Malhoti to Dugli via Gajoth road in Co. No:49 and 53/Killar of Bhaderwah Forest Division strictly under the provisions of J&K Forest Conservation Act on the following terms and conditions:-

1. The proprietary status of the forest land shall remain un-changed.
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 land as would be assessed by the concerned DFO 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.13,53,840/- on account of compensation of 241 number of trees/poles of different species and Dia-classes.
6. The User Agency shall pay Rs.60,762/- on account of compensatory afforestation to be carried over 3.4 Ha.
7. The extraction of trees shall be done by 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 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 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 by the User Agency without any cost.
11. The user agency shall also pay any other amount which will become payable Hon'ble Supreme Court Order dt: 30.10.2002 in I.A. No: 566 in Writ Petition 1995 T.N. Godavarman Thirumalpad V/s Union of India.
12. The mode of payment of compensatory afforestation shall be accepted by Afforestation Fund Management and Planning Authority (CAMPA) later on.
13. The money on account of various heads to be paid by the user agency as detailed deposited with Chief Accounts Officer in the office of PCCF.

*(S. D. Swatantra) IFS*  
Pr. Chief Conservator of Forests

DT: 17/10/2005

NO: PCCF/FC/ 646-50

Copy for information and necessary action to the:-

1. Chief Conservator of Forests, Jammu.
2. Conservator of forests, Chenab Circle,
3. Conservator of forests, Working Plan Circle (Member Secretary Adv. Committee).
4. Divisional Forest Officer, Bhaderwah.
5. Executive Engineer, PWD(R&B) Divn. Bhaderwah.