

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE PR. CHIEF CONSERVATOR OF FORESTS, J&K, SRINAGAR

O R D E R No: 12 - FC of 2007
D A T E D: 22 - 10 - 2007

Subject:- *Diversion of 1.05 Ha. of forest land for construction of road from Lammer to Gujjarbasti Halan in Anantnag Forest Division by PWD under PMGSY.*

Ref:- *CCF, Kashmir's letter No; CCF(K)/L/07/2693 Dt:01.10.2007*
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As recommended by Chief Conservator of Forests, Kashmir, vide his above cited reference and by District Development Commissioner, Kulgam, vide his letter No:DDCK/PMGSY/2988-89 Dated 19.09.2007, sanction is hereby accorded for the diversion of forest land to the extent of **1.05 Ha.** from Comptt. No:32/N of **Anantnag Forest Division** for construction of **road from Lammer to Gujjarbasti Halan** 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 the **Net Present Value of the land to the tune of Rs.6,44,700/-** as per Hon'ble Supreme Court Order Dt:30.10.2002 in L.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 pay an amount of **Rs.83,400/-** on account of compensation of **10 trees of Kail/Deodar** of different Dia classes @ two times the standard rate of 1992.
6. The user agency shall be bound to pay an amount of **Rs.52,500/-** on account of Compensatory Afforestation to be carried over double the area diverted i.e. **2.10 Ha.**
7. The extraction of trees shall be done by State Forest Corporation/Forest Department on the basis of marking lists technically sanctioned by Conservator of Forests Working Plan and Research Circle and administratively approved by Chief Conservator of Forests, Kashmir.
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 shall take all necessary steps to check soil erosion likely to occur due to the proposed construction of road.
10. The forest land so diverted shall return to the Forest Department free of any encumbrances when it is no longer required by the User Agency.
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. 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 be responsible to obtain requisite clearances under any other law in vogue.
14. 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.


(I. A. Khan)

Pr. Chief Conservator of Forests

NO: PCCF/FC/716/ 5798-5807

DT: 22 /10/2007

Copy for information to the:-

1. Chief Conservator of Forests, Kashmir. *Compensation of trees has been charged for standing volume of trees as against converted volume charged in the proposal submitted by him.*
2. Conservator of Forests, Working Plan and Research Circle, Srinagar, (Member Secretary to Advisory committee).
3. Conservator of Forests, South Circle, Bijbehara.
4. Divisional Forest Officer, Anantnag Forest Division.
5. Executive Engineer, PMGSY(JKRRDA) Division, Anantnag.