

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (JAMMU)

* * *
ORDER No: 62 - FC of 2008
DATE: 15 - 04-2008

Sub:- Diversion of 1.64 Ha. of forest land for construction of road from Balnoi to Ghani by PWD under PMGSY in Poonch Forest Division.

Ref:- CCF, Jammu's letter No: CCF/FCA/Baloni/449-51 Dated:13.03.2008.

As recommended by Chief Conservator of Forests, Jammu, vide his above cited reference and by District Development Commissioner, Poonch, vide his letter No:DDCP/PMGSY/7000-01 Dated 18.01.2008, sanction is hereby accorded for the diversion of forest land to the extent of **1.64 Ha.** from **Comptt. No: 194/M,195/M,196/M & 197/M of Poonch Forest Division** for construction of **road from Balnoi to Ghani by PWD under PMGSY** 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.12,30,000/- (@ Rs.7.50 lac per hectare for average crop density of "0.5")** 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 pay an amount of **Rs.1,67,000/-** on account of compensation @ two times the standard rate of 1992 for the following number of trees/poles/saplings:-

Species	Trees (30 cms & above)	Poles (10-20, 20-30)	Saplings (0-10)	Total
Chir	34	18	-	52
Broad Leaved	-	15	-	15
Total	34	33	-	67

6. The user agency shall pay an amount of **Rs.82,000/-** on account of Compensatory Afforestation to be carried over double the area diverted i.e. **3.28 Ha. of degraded forest area.**
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, Jammu.
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 Pr. Chief Conservator of Forests, J&K.
15. Work on forest land shall be allowed only after amount deposited by the User Agency is credited in the official account of Chief Accounts Officer and information to this effect is communicated to the Divisional Forest Officer concerned by the Pr. Chief Conservator of Forests office.


(Irshad A. Khan)

Pr. Chief Conservator of Forests

Dated 15 /04/2008

NO:PCCF/FC/833/ 156-60

Copy for information to the:-

1. Chief Conservator of Forests, Jammu.
2. Conservator of Forests, Working Plan and Research Circle, Jammu, (Member Secretary, Forest Advisory committee).
3. Conservator of Forests, West Circle, Rajouri.
4. Divisional Forest Officer, Poonch Forest Division.
5. Executive Engineer, PMGSY Division, Poonch.

1-1 Order