

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS SRINAGAR

ORDER No : 89 - FC of 2009

DATE : 14 - 09- 2009

Sub:- Use of 1.78 hectare of forest land for construction of road from Bhatindi to Ratti Sarari via Bermi by PWD (R&B) in Jammu Forest Division.

Ref:- CCF Jammu's No:CCF/J/FCA/744-48 dated 02.09.2009

As recommended by the Committee (constituted under Section 2 "Proviso 2" of the J&K Forest Conservation Act, 1997) in a meeting held on 02.09.2009 under the chairmanship of Chief Conservator of Forests, Jammu, the use of forest land to the extent of **1.78 Ha.** from **Comptt. No:2/Chowadi of Jammu Forest Division** for **construction of road from Bhatindi to Ratti Sarari via Bermi by PWD (R&B)** is allowed strictly under the provisions of J&K Forest (Conservation) Act, 1997 on the following terms and conditions:-

1. The proprietary and legal status of the forest land shall remain un-changed.
2. The forest land shall be utilized only for the purpose for which it has been indented.
3. The forest land shall not be mortgaged, reassigned, leased or sub-leased by user agency in any manner whatsoever to any other agency.
4. The User Agency shall pay the **Net Present Value of the land to the tune of Rs.11,69,460/- (@ Rs.6.57 lac per hectare for Open Forest and Eco Value Class V)** as per Hon'ble Supreme Court Order Dt:28.03.2008 and 09.05.2008 in I.A. No: 826 in 566 with related IAs 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.13,548/-** on account of compensation @ two times the standard rate of 1992 for the following number of trees/poles:-

Species	Trees (30-40 & above)	Poles /Saplings (20-30 & Below)	Total
Broad leaved	-	69	69
Shisham, Kaimbel, Kamila			
Total:		69	69

6. The User Agency shall pay an amount of **Rs.1,44,059/-** on account of Compensatory Afforestation of Degraded Forest for twice the area diverted i.e. **4 Ha.**
7. The extraction of trees/poles shall be done by the State Forest Corporation on the basis of markings administratively approved by Chief Conservator of Forests, Jammu.
8. The User Agency shall construct retaining/breast walls and take all necessary steps to check soil erosion which may result due to proposed construction of the road.
9. The User Agency shall not dump the debris on forest land.
10. 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.
11. The forest land so allowed for use shall return to the Forest Department free of any encumbrances when it is no longer required by the User Agency and after rehabilitated properly by the User Agency.
12. The user agency shall be responsible to obtain requisite clearances under any other law in vogue.
13. The money amounting to **Rs.13,27,067/-** 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.

Sd/-

(Shafat Ahmad, IFS)


Pr. Chief Conservator of Forests

NO: PCCF/FC/952/ 1773-84

Dated 14 /09/2009

Copy for information to the:-

1. Commissioner/Secretary to Government, Forest Department, Civil Secretariat, Srinagar. (The sanction has been issued on the revised proposal received from the CCF, Jammu, involving lesser area and lesser number of trees/poles (without Khair) as compared to the earlier proposal submitted by this office to the Administrative Department, Forests, vide No.PCCF/FC/952/25-30 dated 01.04.2009. Since the earlier proposal was deferred in the 46th Forest Advisory Committee meeting held on 08.05.2009 due to involvement of 19 Khair poles/saplings, the same may now kindly be treated as withdrawn).
2. Chief Conservator of Forests, Jammu.
3. Conservator of Forests, Working Plan Circle, Srinagar (Member Secretary, Forest Advisory committee).
4. Conservator of Forests, East Circle, Jammu.
5. Divisional Forest Officer, Jammu Forest Division.
6. Executive Engineer, PWD (R&B) Division-I, Jammu.


H.S. Salathia, IFS
 (Conservator of Forests)
 Nodal Officer/FCA

FC order