

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

ORDER No: 01 -FC of 2010.
DATED No: 07 -01 - 2010.

Subject: - Proposal to allow use of 1.03 Ha. of forest land for construction of Irrigation Canal (Rehan - Poshkar) by Irrigation Department in Sindh Forest Division.
Ref: - CCF(K) /L/09/3205 dated 016-12-2009.

As recommended by the Committee (constituted under section 2 "Proviso of the J&K Forest Conservation Act, 1997) in a meeting held on 21-11-2009 under the Chairmanship of Chief Conservator of Forests, Kashmir, the use of forest land to the extent of 1.03 Ha. from compartments 27/Mbl, 28/Mbl, 29/Mbl, 30/Mbl & 31/Mbl Sindh Forest Division for construction of Irrigation Canal (Rehan-Poshkar) by Irrigation Department 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 intended.
3. The forest land shall not be mortgaged, reassigned, leased 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 of land to the tune of Rs.7,19,970/- (@Rs. 6.99 lacs per hectare for open forest and eco-class VI) as per Hon'ble Supreme Court Order dt: 28-03-2008 and 09-05-2008 in I.A. No: 826 in 566 dated 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.5,13,100/- on account of compensation @ two times the standard rates of 1992 for the following number of trees /poles/ saplings: -

Species	Trees (30-40 cm Dia-Class & above)	Poles/Saplings (20-30 cm Dia- Class & below)	Sapling (0-10 cm Dia- Class)	Total
I. Conifer				
i) Deodar Green	04	0	0	04
ii) Kail Green	19	0	0	19
iii) Fir Green	09	0	0	09
II. Broad leaved (Walnut Green)	02	0	0	02
Total	34	0	0	34

6. The User Agency shall pay an amount of Rs. 51,500/- as Compensatory Afforestation Scheme for double the area involved i.e. 2.06 Ha @ Rs. 25000/- Ha.
7. The extraction of trees/poles shall be done by State Forest Corporation/State Forest Department on the basis of marking administratively approved by Chief Conservator of Forests, Kashmir.
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 other than that allowed for use.
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 @ ten times the standard rates 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 re-habilitated 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. 12,84,570/- 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, Jammu and Kashmir.

By Order of Pr. Chief Conservator of Forests, Jammu and Kashmir Government.

Sd-
(Suresh Chugh) IFS
Chief Conservator of Forests (FCA
& Nodal Officer)

NO: PCCF/FC/1225/01-05

DT: 07/01/2010

Copy for information and necessary action to the:-

1. Chief Conservator of Forests, Kashmir.
2. Conservator of forests, Srinagar Circle, Srinagar.
3. Conservator of forests, Working Plan Circle (Member Secretary Adv. Committee).
4. Divisional Forest Officer, Sindh Forest Division, Ganderbal
5. Executive Engineer, Irrigation Division, Ganderbal.

Sd-
(Suresh Chugh) IFS
Chief Conservator of Forests (FCA
& Nodal Officer)

*Re
order / file.*