

Government of Jammu & Kashmir  
Office of the Principal Chief Conservator of Forests, J&K, Srinagar.

ORDER No : 22 - FC of 2010  
DATE : 20 - 07-2010

Proposal for use of 2.37 hectare of forest land for construction of road from Sanot to Garh Samana Banj by PMGSY in Billawar Forest Division.

Ref: - CCF Jammu's office No: CCF-J/FCA/F.No.62/351-55 Dated:28.05.2010

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As recommended by the Committee (constituted under Section 2 "Proviso 2" of the J&K Forest Conservation Act, 1997) in a meeting held on 14.05.2010 under the chairmanship of Chief Conservator of Forests, Jammu, the use of forest land to the extent of 2.37Ha. from Comptt. No. 20/Rkt & 21/Rkt of Billawar Forest Division for construction of road from Sanot to Garh Samana Banj by PMGSY 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.20,02,650/-** (@ Rs.8.45lac per hectare for 2.37Ha. Dense 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.5,18,266/-** on account of compensation @ two times the standard rate of 1992 for the following number of Trees/poles/Saplings:-

Species	Trees (30-40cm & Above)	Poles (20-30cm & Below)	Saplings (0-10cm)	Total
Chir Green	26	4	0	30
Broad Leaved	49	404	0	453
<b>Total:</b>	<b>75</b>	<b>408</b>	<b>0</b>	<b>483</b>

6. The extraction of Trees/Poles/Saplings shall be done by the State Forest Corporation / State Forest Department on the basis of markings administratively approved by Chief Conservator of Forests, Jammu. The Cost of extraction and transportation shall be borne by the User Agency.
7. The User Agency shall pay an amount of **Rs.3,74,700/-** on account of Compensatory Afforestation of Degraded Forest for twice the area diverted.
8. The User Agency shall construct retaining walls/breast walls as per approved plan and design and take all necessary steps to check soil erosion which may result due to proposed construction of the road. The User Agency shall seek technical guidance in this respect from Director, J&K Soil Conservation Department. A copy of the plan and design of the proposed road shall be made available to the Forest Department.
9. The User Agency shall not dump the debris on forest land and it shall be dumped on separate dumping sites. Area of dumping sites will be included for additional diversion by the User Agency, if it is not included in the present Proposal.
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.28,95,616/-** 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 through two separate cheques / Demand Drafts for Net Present Value & others.

I	Cheque No. 1	Net Present Value	Rs. 20,02,650/-
Ii	Cheque No. 2	Others	Rs.8,92,966/-

By order of Principal Chief Conservator of Forests, Jammu and Kashmir Government.

Sd/-  
Chief Conservator of Forests (FCA)  
& Nodal Officer

NO: PCCF/FCA/628/2039-43

Dated 20/07/2010

Copy for information to the:-

1. Chief Conservator of Forests, Jammu.
2. Conservator of Forests, East Circle, Jammu.
3. Conservator of Forests, Working Plan Circle, Srinagar.
4. Divisional Forest Officer, Rajouri Forest Division.
5. Executive Engineer, PMGSY, Division, Udhampur.

Chief Conservator of Forests (FCA)  
& Nodal Officer