

Office of the Principal Chief Conservator of Forests, Srinagar.

ORDER No: 20 - FCA of 2012

D A T E D: 23 -07-2012

Sub: - Use of 2.09 hectare of forest land for construction of road from Lonepora Bhat Mohalla – Phalmargi via Wadder including Shalduri link by PWD (R&B) in Kehmil Forest Division.

As recommended by the Committee of the concerned officers (constituted under Section 2 "Proviso 2" of the J&K Forest Conservation Act, 1997) under the chairmanship of the Chief Conservator of Forests, Kashmir conveyed vide his letter No: CCF(K)/L/11/3572-75 Dated: 07-12-2011, and the certificate of non-availability of land as issued by District Development Commissioner, Kupwara, vide his No:DDCK/3261-66 dated 20.06.2012, the use of forest land to the extent of 2.09 Ha. from Comptt. No. 7/D/RH of Kehmil Forest Division for construction of road from Lonepora Bhat Mohalla – Phalmargi via Wadder including Shalduri link 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. 18,74,730/- (@ Rs. 8.97 lac per hectare for Dense Forest and Eco Value Class VI) 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. No tree/ pole/ sapling is involved. ✓
6. The User Agency shall pay an amount of Rs. 2,92,600/- on account of Compensatory Afforestation of Degraded Forest for twice the area allowed for use i.e., 4.18 hectare @ Rs. 70,000/- per hectare.
7. 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 widening of the road .
8. The User Agency shall not dump the debris on forest land.
9. 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.
10. 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.
11. The User Agency shall be responsible to obtain requisite clearances under any other law in vogue.
12. The money amounting to Rs. 21,67,330/- on account of various heads to be paid by the user agency as detailed above shall be deposited with the Chief Accounts Officer in the office of the Pr. Chief Conservator of Forests, J&K, prior to the execution of the project.

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

Sd/-

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

NO: PCCF/FCA/1080/ 1854-58
Dated 23 /07/2012

Copy for information to the:-

1. Chief Conservator of Forests, Kashmir.
2. Chief Engineer, PWD (R&B), Srinagar.
3. Conservator of Forests, North Circle, Sopore.
4. Divisional Forest Officer, Kehmil Forest Division.
5. Executive Engineer, PWD (R&B) Division, Handwara.

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

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