

Government of Jammu and Kashmir
Office of the Principal Chief Conservator of Forests, Srinagar.

ORDER No: 61 - FCA of 2013
DATE: 29 -06-2013

Sub: - Use of 0.5 hectare of forest land for construction of Sumbal- Kanwas canal by Irrigation & Flood Control Department in Sindh Forest Division.

Ref: - CCF(K)/12/1082-84 Dated: 12.06.2013.

As recommended by the Committee of the concerned officers (constituted under Section 2 "Proviso 2" of the J&K Forest Conservation Act, 1997) in a meeting held on 11.06.2013 under the chairmanship of Chief Conservator of Forests, Kashmir, the use of forest land to the extent of 0.5 Ha. from Comptt. No. 34/Sindh of Sindh Forest Division for construction of Sumbal- Kanwas canal by Irrigation & Flood Control 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 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. 3,49,500/- (@ Rs. 6.99 lac per hectare for Open 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 is involved
6. The User Agency shall pay an amount of Rs. 6,00,000/- for canal bank plantation on either side along the length of the canal passing through forest land (i.e. 1 Km. approximately) @ Rs. 6,00,000/- per Km.
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 construction of the canal.
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. (a) The User Agency shall clear FCA outstanding amounting to Rs: 1.72 crore (ending Feb, 2013) for the Irri. & F.C. Cases sanctioned earlier in Kashmir Region.
(b) The CCF, Kashmir, shall pursue with the User Agency for recovery of the outstanding and with the Revenue authorities, for assessment of cost of land in the old cases wherever required for its further recovery from the user agency.
(c) This is in line with the assurance given by the Commissioner/ Secretary (Forests) to the CAG Public Accounts Committee in the meeting held on 10.11.2012.
13. The money amounting to Rs. 9,49,500/- 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..

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)

Dated 29 /06/2013

NO: PCCF/FCA/1741/ 1092 97

Copy for information to the:-

1. Chief Conservator of Forests, Kashmir.
2. Chief Engineer, Irrigation & Flood Control Department, Kashmir, Srinagar.
3. Conservator of Forests, Srinagar Circle, Srinagar.
4. Chief Accounts Officer, Direction Office, Srinagar.
5. Divisional Forest Officer, Sindh Forest Division, Ganderbal.
6. Executive Engineer, Irrigation & Flood Control Division, Ganderbal.

FCA Order

3
29/6
H.S.Salathia, IFS
Chief Conservator of Forests, FCA
(Nodal Officer)