

GOVERNMENT OF JAMMU AND KASHMIR
OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS, J&K, JAMMU

ORDER NO : 54 - FCA OF 2013
DATE : 13 - 12 - 2013

Sub: - Use of 1.10 hectare of forest land for construction of road from Army Check to BSF Check by GREF in Poonch Forest Division.
Ref: - Chief Conservator of Forest, Jammu's No.CCF/J/FCA/1419/22 dated 23.08.2013.

As recommended by the Committee (constituted under Section 2 "Proviso 2" of the J&K Forest Conservation Act, 1997) in a meeting held on 17.08.2013 under the chairmanship of Chief Conservator of Forests, Jammu, the use of forest land to the extent of 1.10 Ha. detailed as under is allowed strictly under the provisions of J&K Forest (Conservation) Act, 1997, on the following terms and conditions:

1. User Agency	GREF																							
2. Location	Comptt. : 217/H Block : Jhullah Range : Haveli Division : Poonch Forest Divn District : Poonch																							
3. Forest land involved	forest land coming under road= 1700 mtrs Width of the road= 6 Mtrs. Area coming under road =1.02 Ha. Area for muck dumping = 0.08 Ha. Total Forest area =1.10 Ha.																							
4. Crop Density	Open (0 to 0.4)																							
7. Number of Trees / Poles involved.	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Species</th> <th style="width: 15%;">Trees (30-40cm & above)</th> <th style="width: 15%;">Poles (20-30cm & 10-20cm)</th> <th style="width: 15%;">Saplings (0-10cm)</th> <th style="width: 15%;">Total</th> </tr> </thead> <tbody> <tr> <td>Chir green</td> <td>3</td> <td>0</td> <td>0</td> <td>3</td> </tr> <tr> <td>Broad Leaved</td> <td>23</td> <td>23</td> <td>15</td> <td>61</td> </tr> <tr> <td>Total:</td> <td>26</td> <td>23</td> <td>15</td> <td>64</td> </tr> </tbody> </table>				Species	Trees (30-40cm & above)	Poles (20-30cm & 10-20cm)	Saplings (0-10cm)	Total	Chir green	3	0	0	3	Broad Leaved	23	23	15	61	Total:	26	23	15	64
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8. Net Present Value of forest land involved as per Hon'ble Supreme Court Order dated 28.03.2008 and dated 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:-	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Comptt.</th> <th style="width: 10%;">Area involved (Ha.)</th> <th style="width: 10%;">Crop Density</th> <th style="width: 10%;">Eco-Value Class</th> <th style="width: 10%;">Rate/ Ha (Rs. In Lac)</th> <th style="width: 10%;">Amt. (Rs.)</th> </tr> </thead> <tbody> <tr> <td>217/H</td> <td>1.10</td> <td>Open</td> <td>V</td> <td>6.57</td> <td>7,22,700</td> </tr> </tbody> </table>				Comptt.	Area involved (Ha.)	Crop Density	Eco-Value Class	Rate/ Ha (Rs. In Lac)	Amt. (Rs.)	217/H	1.10	Open	V	6.57	7,22,700								
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217/H	1.10	Open	V	6.57	7,22,700																			
9. Compensation of trees/ poles/Saplings @ two times the standard Rate of 1992	RS. 37,156/-																							
10. Compensatory Afforestation of degraded forest for twice the forest land involved i.e. 2.20 Ha. @ Rs. 70,000/- per hectare.	Rs. 1,54,000/-																							
11. Road side avenue plantation on either side along the length of the road passing through forest land (with approximate length of 1.7 Km out of the total length of 3 Km on forest land depending upon availability and suitability of the area) @ Rs. 6.00 lac per Km.	Rs. 10,20,000/-																							

Terms and Conditions applicable

- The proprietary and legal status of forest land shall remain unchanged.
- The forest land shall be utilized only for the purpose for which it has been indented.
- 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.
- Forest land will be handed over to the User Agency only after payment of following amount to the forest Department. Extraction of Trees/Poles will not be allowed till full payment is made:

i	Net Present Value	Rs. 7,22,700/-
ii	Compensation of trees/ poles/ Sapp.	Rs. 37,156/-
iii	Compensatory Afforestation	Rs. 1,54,000/-
iv	Road Side avenue plantation	Rs. 10,20,000/-
Total:		Rs. 19,33,856/-

- The extraction of the trees/ poles shall be done by the State Forest Corporation/ Divisional Forest Officer concerned on the basis of markings administratively approved by the Chief Conservator of Forests, Jammu. The cost of extraction and transportation shall be paid by the User Agency directly to the agency executing the extraction.
- The User Agency shall construct retaining walls/breast walls as per approved plan and design of the project and take all necessary steps to check soil erosion which may result due to proposed construction of the road.
- The User Agency shall not be allowed to dump the debris on forest land.
- Any damage done to the forest by the User Agency or its employees and contractors or people employed by them shall be charged from the User Agency @ 10 times the standard rate of 1992.
- 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.
- The User Agency shall be responsible for obtaining requisite clearances under any other law in vogue before commissioning the project.
- The cheque/ draft amounting to Rs.19,33,856/-on account of various heads as detailed above shall be deposited with the Chief Accounts Officer in the office of the Principal Chief Conservator of Forests, J&K.

Sd/-
Abhay Kumar, IFS
Pr. Chief Conservator of Forests,

Dated 13 /12/2013

Rajeev Kumar Tiwari, IFS
(Nodal Officer), FCA

NO: PCC/FCA/1713/ 2531-35.
Copy for information to the:-

- Chief Conservator of Forests, Jammu.
- Conservator of Forests, Working Plan Circle, Jammu.
- Conservator of Forests, West Circle, Rajouri.
- Divisional Forest Officer, Poonch Forest Division.
- Officer commanding 79 RCC (GREF) C/o 36 AFO.