

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECTT: FOREST DEPARTMENT.

Subject :- Diversion of 39.88 ha of forest land to Shri Amarnathji Shrine Board at Baltal and Domail for raising Building/Structures in Sindh Forest Division.

Reference: Cabinet Decision No. 94/7 dated 20.05.2008.

*Order Cancelled*

GOVERNMENT ORDER NO. 104 - FST OF 2008  
D A T E D ; 26 - 05 - 2008

Sanction is accorded to the diversion of forest land measuring 39.88 ha falling under compartment No. 63a/Sindh, in Block Kullan, Range Sindh, Sindh Forest Division for raising pre-fabricated structures only for camping purposes of pilgrims, without going in for construction of permanent structures, at Baltal and Domail by Shri. Amarnathji Shrine Board on the following terms and conditions:

1. The proprietary status of forest land shall remain unchanged.
2. The forest land so diverted shall be utilized only for the purpose for which it has been diverted. It shall not be transferred to any other agency without approval of the Forest Department.
3. The forest land so diverted shall not be mortgaged, reassigned or sub-leased by user agency in any manner what so ever to any other agency.  
The User Agency shall pay Net Present Value of the forest land to the tune of Rs. 2,31,30,400/- (Rs. Two crore thirty-one lacs thirty thousand four hundred only) as calculated by the concerned DFO as per Hon'ble Supreme Court Order dated 30-10-2002 in I.A. No: 566 in Writ Petition (Civil) No: 202 of 1995 T.N. Godavarman Thirumalpad V/S Union of India.
5. The User Agency shall pay Rs. 19,94,000/- (Rs. Nineteen lacs ninety-four thousand only) on account of Compensatory Afforestation to be carried over 79.76 ha.
6. The user agency shall take foolproof measures on modern scientific lines to ensure that water of nearby Sindh Nallah does not get polluted.
7. 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 at the rate of ten times the standard rate of 1992.
8. The forest land so diverted shall return to the Forest Department free of any encumbrances when it is no longer required by the User Agency.
9. The user agency shall construct complete retaining/breast walls on the both sides of the road/railway line/earth work/tunneling etc., and take other necessary steps, so as to minimize soil erosion/land slips. In this regard, the user agency shall seek technical guidance from Director, Soil Conservation Department, J&K.
10. The user agency shall also pay any other amount which will become payable as per orders of Hon'ble Supreme Court or Government/Forest Department, J&K.
11. **The user agency shall be responsible to get requisite clearance under any other relevant law in vogue.**
12. The user agency shall submit an undertaking that in case of any upward revision of rates of Net Present Value, the user agency will pay the amount of differential Net Present Value.
13. The possession of Forest land diverted for non-forestry purpose under the orders of the competent authority, should not be handed over to the user agency till all payments due against Compensation of trees, NPV/Compensation of land, Compensatory afforestation costs etc are not deposited with Chief Accounts Officer in the office of the PCCF. Before handing over the possession of the Forest

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*28/05/2008*  
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land it should be further ensured that there are no outstanding dues with the said User Agency in respect of the cases sanctioned in the past.

14. The user agency shall take all possible environmental safe guards in consultation with the State Pollution Control Board prior to erection of the pre-fabricated structures and their use by the pilgrims to ensure that no damage is caused to the ecology of the area.

The proposal stands cleared/ approved by the Advisory Committee in its 3<sup>rd</sup> meeting held under the Chairmanship of the Chief Secretary on 12<sup>th</sup>, July, 2007.

By order of the Government of Jammu and Kashmir.

Sd/-

Principal Secretary to Government,  
Forest Department.

NO:- FST/Land/41/2007

Dated: 26 - 05 - 2008.

Copy to the:-

1. Principal Chief Conservator of Forests, J&K, Jammu.
2. Commissioner/Secretary to Government, General Adm. Deptt.
3. Chief Executive Officer, SASB.
4. Conservator of Forests, Working Plan & Research Circle (Member Secretary) Forest Advisory Committee.
5. Spl. Assistant to Hon'ble Forest Minister.
6. Pvt. Secretary to Principal Secretary (Forests).
7. Government order file (w,2,s,c.)
8. Stock file.

(M. A. Hamdani)

Under Secretary to Government,  
Forest Department.

\*\*\*Lala/

OFFICE OF THE PR. CHIEF CONSERVATOR OF FORESTS

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No: PCCF/FC/645/457-55

Dated: 30-05-2008.

Copy for information to:-

1. Chief Conservator of Forests, Kashmir
2. Conservator of Forests, Working Plan and Research Circle, Srinagar.
3. Conservator of Forests, Srinagar Circle, Sgr.
4. DFO, Sindh Forest Division, Ganderbal.
5. Dy. Chief Executive Officer, Shri Amarnathji Shrine Board, Raj Bhawan, Sgr

H.S. Salathia, IFS

(Conservator of Forests)  
Nodal Officer

29/5/08

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