



GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECTT: FOREST DEPARTMENT.

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Subject :- Diversion of 5.29 ha of Forest Land in Udhampur & Reasi Forest Divisions for construction of Mongri to Ladda road by PWD under PMGSY.

GOVERNMENT ORDER NO. 233 - FST OF 2008
D A T E D ; 30-05-2008

Sanction is accorded to the diversion of forest land measuring 5.29 ha falling under Compartment No. 31/P, and 51 and 52/Reasi, in Reasi Block, Reasi Range, Udhampur Forest Division for construction of Mongri to Ladda road under PMGSY by PWD, on the following terms and conditions:

- The proprietary status of forest land shall remain unchanged.
- 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.
- 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. 42,12,980/- (Rs. Forty-two lacs twelve thousand nine hundred eighty only) as calculated by the concerned DFO as per Hon'ble Supreme Court Order dated 10-10-2002 in I.A. No: 566 in Writ Petition (Civil) No: 202 of 1995 T.N. Godavaram Thirumalpad V/S Union of India.

Udhampur Forest Division	Rs. 12,60,000.00
Reasi Forest Division	Rs. 29,52,980.00
TOTAL :-	Rs. 42,12,980.00

- The User Agency shall pay an amount of Rs. 69,19,668/- (Rs. Sixty-nine lacs nineteen thousand six hundred sixty-eight only) on account of compensation of 1017 No. of trees/poles and saplings @ two times standard rate of 1992 as under:

Division	Trees/Poles (No.)	Saplings (0-10)	Total (No.)	Compensation (In Rs.)
Udhampur	240	1	241	22,16,940.00
Reasi	684	92	776	47,02,728.00
TOTAL	924	93	1017	69,19,668.00

- The User Agency shall pay Rs. 2,69,643/- (Rs. Two lacs sixty-nine thousand six hundred forty-three only) on account of Compensatory Afforestation to be carried over degraded forest (twice in extent the area diverted) as under :-

Udhampur Forest Division	Rs. 85,570.00
Reasi Forest Division	Rs. 1,84,073.00
TOTAL :-	Rs. 2,69,643.00
- The User Agency shall not dump the debris on forest land and in case of violation of the condition, shall have to pay for the damage done to forest land/crop.
- The extraction of trees shall be done by the SFC/Forest Department on the basis of markings technically sanctioned by CF, Working Plan Circle & administratively approved by the CCF, concerned.
- 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.
- 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.
- The user agency shall construct complete retaining/breast walls on the both sides of the road/railway line/earth work/tunneling/Water Reservoir 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.
- 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.

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13. The user agency shall be responsible to get requisite clearance under any other relevant law in vogue.
14. 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.
15. 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 deposited with Chief Accounts Officer in the office of the PCCF. Before handing over the possession of the Forest 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.

The proposal stands cleared/ approved by the Advisory Committee in its 41st meeting held under the Chairmanship of the Chief Secretary on 5th, March 2008 (2nd Supplementary item No. 41.49)

By order of the Government of Jammu and Kashmir.

Sd/-
Principal Secretary to Government,
Forest Department.

NO:- FST/Land/82/41st/FCA/2008

Dated: 30-05-2008.

Copy to the:-

1. Principal Chief Conservator of Forests, J&K, Srinagar
2. Secretary to Government, R&B (PWD) Department.
3. Conservator of Forests, Working Plan & Research Circle (Member Secretary) Forest Advisory Committee.
4. Executive Engineer, PMGSY Division Udhampur.
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.

Government of Jammu & Kashmir
Office of the Pr. Chief Conservator of Forests (Srinagar)

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No. PCCF/FC/800/1125-31

Dated 18.07.2008

Copy for information to:-

- 1) Chief Conservator of Forests, Jammu.
- 2) Conservator of Forests, Working Plan & Research Circle.
- 3) Conservator of Forests, East Circle, Jammu.
- 4) Conservator of Forests, West Circle, Rajouri.
- 5) Divisional Forest Officer, Udhampur Forest Division.
- 6) Divisional Forest Officer, Reasi Forest Division.
- 7) Executive Engineer, PMGSY Division Udhampur-II, Reasi.

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

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