

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECTT. FOREST DEPARTMENT.

Subject:- Diversion of Forest Land for construction/improvement of road
Battal- Narojia-Katao (km 0- 17) in Jammu Forest Division by
SAMPARK (GREF).

Government Order No. 459- FST of 2008
Dated: 04. -12- 2008

Sanction is accorded to the diversion of forest land measuring 3.25 ha falling under Compartment 34/Kalidhar in Block Khour, Range Kalidhar, Jammu Forest Division, for construction/improvement of road Battal-Narojia-Katao by SAMPARK (GREF) on the following terms and conditions:-

1. The Proprietary status of the 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 the approval of the Forest Department.
3. The forest land so diverted shall not be mortgaged, re-assigned or sub-leased by user agency in any manner whatsoever to any other agency.
4. The user agency shall pay Net Present Value of the forest land to be calculated by Divisional Forest Officer Jammu as per Hon'ble Supreme Court order dated 28. 3.2008 and dated 9.5.2008 in IA No. 826 in 566 with related IAs in writ petition (Civil) No.202 of 1995, titled T N Godaverman V/S Union of India and ors.
5. The user agency shall pay Rs.26,306/- on account of compensation of 24 number of trees of different species and dia classes.
6. The user agency shall pay Rs. 1,65,000/- towards Compensatory Afforestation to be carried over 6.50 ha of degraded forest land.
7. The user agency shall construct complete retaining/breast walls on the both sides of the road and take other necessary steps so as to minimize soil erosion/land slides. In this regard, the user agency shall seek technical guidance from Director, Soil Conservation Department, J&K.
8. The extraction of trees shall be done by J&K State Forest Corporation/Forest Department on the basis of markings technically cleared by the Conservator of Forest, Working Plan Circle and Administratively approved by Chief Conservator of Forests, Jammu.
9. Any damage done to the forest by the user agency or its employees, contractors or people employed by them shall be charged from the user agency @ ten times the standard rate of 1992.
10. The forest land to be diverted shall return to the Forest Department free of any encumbrances when it is no longer required by the user agency without any cost.

21,35,250 @
Rs. 6.57 lac
per ha.

11. The user agency shall be responsible to obtain requisite clearances under any other law in vogue.
12. The money on account of various heads to be paid by the user agency as detailed above shall be deposited with Chief Accounts Officer in the Office of Principal Chief Conservator of Forests, J&K.
13. The possession of the forest land diverted for non-forestry purposes under the orders of the Competent Authority, should not be handed over to the user agency till all the due payments are deposited. Before handing over the possession of 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 27th meeting held under the Chairmanship of the Chief Secretary on 1.12.2004 (Agenda item No.27.08).

By order of the Government of Jammu and Kashmir.

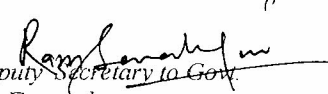
Sd/-
(Iqbal Khandey) IAS
Principal Secretary to Government,
Forest Department.

No: FST/Land/38/2004

Dated: 04-12-2008

Copy to the:

- ✓ 1. Pr. Chief Conservator of Forests, J&K Srinagar.
2. Secretary to Government, R&B (PWD) Department.
3. Conservator of Forest Working Plan and Research Circle (Member Secretary) Forest Advisory Committee.
4. Chief Engineer, SAMPARK (GREF), 56/ APO.
5. Special Asstt. To Advisor (T).
6. Pvt. Secy. To Pr. Secretary to Government, Forest.
7. Govt. order file (w.2.s.c.).
8. Stock file.


Deputy Secretary to Govt.
Forest department

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


No: PCCF/FC/440/ 2154-58

Dated: // -12-2008

Copy for information to the :-

1. Chief Conservator of Forests, Jammu.
2. Conservator of Forests, Working Plan and Research Circle, Jammu.
3. Conservator of Forests, East Circle, Jammu
4. DFO, Jammu Forest Division.
5. Officer Commanding, 57 RCC (GREF) C/o: 56 APO.

G/O


H. S. Slathia. IFS
(Conservator of Forests)
Nodal Officer