



GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT - FOREST DEPARTMENT

1557
13/12/14

Subject: Issue with regard to accord of forest clearance for the proposal (Part-I) to allow use of 0.2821 hectare of forest land for laying 220 KV D/C Transmission Line from Zainakote to Alusteng to Mirbazar (ZAMTL) by PDD in Sindh Forest Division (Agenda No. 41.22 / 77.05).

Reference: Cabinet Decision No. 203/27/2013 dated 19.09.2013.

Government Order No: 79 - FST of 2014
D a t e d: 13 - 02 - 2014

Sanction is hereby accorded to use of 0.2821 hectare of forest land for non-forestry purpose i.e. construction of Electric Towers for laying 220 KV D/C Transmission Line from Zainakote to Alusteng to Mirbazar (ZAMTL) by Power Development Department in Sindh Forest Division as per details given below:

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|--|---|
| 1. Project Scheme for which land is required | Construction of Electric Towers (Eight Towers and one Gantry) by PDD. |
| 2. Location of the Project / Scheme | |
| i) District | Ganderbal |
| ii) Compartment | 45/Mbl. S.C. Unit |
| iii) Block | Malhar |
| iv) Range | Sindh |
| v) Division | Sindh Forest Division |
| 3. Details of Forest Land invited | |
| (i) Area | 0.2821 hectares |
| (ii) Legal Status | Demarcated Forests |
| (iii) No. of trees involved | Nil |
| (iv) Vulnerability to erosion | No major threat. |
| 4. Name of the User Agency | Executive Engineer, TLCD-II, Bemina, Srinagar (PDD). |

The J&K State Forest Advisory Committee has considered and recommended the case with the following terms and conditions:

- (i) The proprietary status of forest land shall remain unchanged.
- (ii) 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.
- (iii) The forest land so diverted shall not be mortgaged, reassigned, leased or sub-leased by user agency in any manner what so ever to any other agency.
- (iv) The User Agency shall pay Net Present Value of the forest land to the tune of ₹ 2,02,000/- (Rupees two lacs two thousand only) as calculated by the concerned Divisional FO as per Hon'ble Supreme Court Order dated 30.10.2002 in I.A. No. 566 in Writ Petition (Civil) No. 202 of 1995 filed T.N. Godavarman Thirumulpad v/s Union of India.

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- (v) 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.
- (vi) 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.
- (vii) 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.
- (viii) The User Agency also pay any other amount which will become payable as per orders of Hon'ble Supreme Court or Government / Forest Department, J&K.
- (ix) The User Agency shall be responsible to get requisite clearance under any other law in vogue.
- (x) 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.
- (xi) 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.

By Order of the Government of Jammu & Kashmir.

Sd/-

(Muhammad Afzal), IAS
Secretary to Government,
Forest Department

Dated: 13.02.2014

No: FST/Land/26/2013

Copy to the:-

1. Principal Secretary to Government, Power Development Department.
2. Principal Chief Conservator of Forests, J & K-Jammu
3. Chief Wildlife Warden, J&K-Jammu.
4. Chief Conservator of Forests, Kashmir.
5. Conservator of Forests, Working Plan and Research Circle, J&K-Jammu.
6. Officer on Special Duty with the Hon'ble Minister for Forests.
7. Principal Private Secretary to Chief Secretary (Chairman, FAC).
8. Divisional Forest Officer, Sindh Forest Division.
9. Executive Engineer, Transmission Line Construction Division-II, Bemina.
10. Private Secretary to Secretary to Government, Forest Department.
11. Government Order file/Stock file.

(Mohammad Amin)

Under Secretary to Government,
Forest Department

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

No: PCCF/FCA/585/ 2974 77 -

Dated: 10.02.2014

Copy for information and necessary action to the:

1. Chief Conservator of Forests, Kashmir.
2. Conservator of Forests, Srinagar Circle, Srinagar.
3. Divisional Forest Officer, Sindh, Forest Division, Ganderbal.
4. Executive Engineer, T.L.C.D-II, Bemina, Srinagar.

Rajeev Kumar Tiwari, IFS

Nodal Officer (FCA)