

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

ORDER No: 36 - FC of 2008
DATE D: 01 - 01.2008

Subject:- *Diversion of 1.41 Ha. of forest land for construction of road from Gujed to Chirdi by PWD under PMGSY in Udhampur Forest Division.*

Ref:- *CCF, Jammu's letter No; CCF(J)/Lease/FCA/ Gujed /1781-83
Dated:17.12.2007.*

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As recommended by Chief Conservator of Forests, Jammu, vide his above cited reference and by District Development Commissioner, Udhampur, vide his letter No:PS/DDCU/PMGSY/6291-97 Dated 12.11.2007, sanction is hereby accorded for the diversion of forest land to the extent of **1.41 Ha.**, from **Complt. No: 88/D of Udhampur Forest Division** for construction of road from **Gujed to Chirdi by PWD under PMGSY** strictly under the provisions of J&K Forest (Conservation) Act on the following terms and conditions:-

1. The proprietary status of the forest land shall remain un-changed.
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.
4. The User Agency shall pay the **Net Present Value of the land to the tune of Rs.11,05,440/-** as per Hon'ble Supreme Court Order Dt:30.10.2002 in I.A. No: 566 in Writ Petition (Civil) No: 202 of 1995 T.N. Godavarnian Thirumalpad V/s Union of India.
5. The User Agency shall pay an amount of **Rs.5,13,120/-** on account of compensation of **162 No. of Chir green trees/poles of different dia-classes (trees=102, poles=60) @** two times the standard rate of 1992.
6. The user agency shall be bound to pay an amount of **Rs.88,800/-** on account of Compensatory Afforestation to be carried over double the area diverted i.e.**3.00 Ha. of degraded forest area.**
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 user agency at the rate of ten times the standard rate of 1992.
8. The user agency shall take all necessary steps to check soil erosion likely to occur due to the proposed construction of road.
9. 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.
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. In case of any upward revision of rates of Net Present Value, the User Agency will pay the amount of differential Net Present Value.
12. The user agency shall be responsible to obtain requisite clearances under any other law in vogue.
13. The money on account of various heads to be paid by the user agency as detailed above shall be deposited through **Bank Draft** with Chief Accounts Officer in the office of PCCF.

I. A. Khan
(I. A. Khan)

Pr. Chief Conservator of Forests

NO:PCCF/FC/778/ 462-1-1

DT: 1 /01/2008

Copy for information to the:-

1. Chief Conservator of Forests, Jammu.
2. Conservator of Forests, Working Plan and Research Circle, Jammu, (Member Secretary, Forest Advisory committee).
3. Conservator of Forests, East Circle, Jammu.
4. Divisional Forest Officer, Udhampur Forest Division.
5. Executive Engineer, PMGSY Division, Udhampur.

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