

110 Road Constr Coy(GREF)
C/O 56 APO

2100/RAM/FC/ 52 /E2

26 Mar 2007

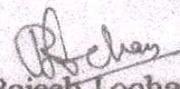
The Chief Accounts Officer
Pr CC of Forest Office
Jammu (J&K)

**FORWARDING OF DEFENCE CHEQUE ON A/C OF DIVERSION OF FOREST
LAND FOR WIDENING OF ROAD ARNAS-DHARMARI-MAHORE**

Sir,

1. Ref J&K Govt Order No. 251/FST of 2006 dated 18 May 2006 and our office letter No. 2100/RAM/FC/52/E2 dated 09 May 2006.
2. Defence Cheque Bearing Machine No. K-827235 dated 22 Mar 2007 for Rs. 2.39 lacs (Rupees Two lakh Thirty nine thousand only) on account of difference in amount (Rs. 10782836.00 - 10543386 = 239000) for diversion of forest land 11.53 hectares for widening of road Reasi-Arnas-Mahore Km 47.00 to 68.400 is forwarded along with receipt.
3. You are requested to issue no objection certificate after clearance of tree and mutation of Forest land in the name of BRO may please be done at the earliest.
4. In view of the above you are requested to forward receipt of Cheque duly signed and sealed to this office for our audit purpose please.

Yours faithfully,


(Rajeeb Lochan)
AEE(Civ)
2 IC

for Officer Commanding

Encls : One cheque (Bearing
No. K-827235 for 2.39 lacs)

Copy to :-

1. Chief conservator of Forest
Jammu (J&K)
2. Conservator of Forest, West Circle
Rajouri (J&K)
3. Divisional Forest Officer,
Forest Division, Mahore
Dist : Udhampur (J&K)
4. HQ 31 BRTF
C/O 56 APO
5. 364 RMPL (GREF)
C/O 56 APO

For information alongwith Photocopy of Defence Cheque please.

For information wrt your letter No. 50009/LP/417/E5C dated 23 Mar 2007.

For information along with Photo copy of Cheque.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECTT: FOREST DEPARTMENT.

Subject:- **Diversion of Forest Land for widening of road from Arnas-Dharmari to Mahore.**

GOVERNMENT ORDER NO. 251 - FST OF 2006
D A T E D: 18 - 05 - 2006

Sanction is accorded to diversion of forest land measuring 11.53 Hectares of forest area falling under Compartment No 134/AR, 2/GG, 3/GG, and 4/GG of Block Mahore, Budhan, Range Gulab Grah, Mahore Forest Division for widening of road Reasi-Arnas-Mahore (Sub Section Dharmari-Mahore to NH D/L specification KM 47 to 68.400 by GREF (SAMPARK) authorities on the following 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.
4. The User Agency shall pay Net Present Value of the forest land to the tune of Rs. 86,47,500/- (Rs. Eighty-six lacs forty-seven thousand five 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 titled T.N.Godavarman Thirumalpad V/S Union of India.
5. The User Agency shall be bound to pay an amount of Rs. 15,59,886/- (Rs. Fifteen lacs fifty-nine thousand eight hundred eighty-six only) on account of compensation of 1313 trees/poles of different species and dia-classes.
6. The User Agency shall pay Rs. 5,75,000/- (Rs. Five lacs seventy-five thousand only) on account of compensatory afforestation to be carried over 23.06 ha.
7. The extraction of trees shall be done by the SFC/Forest Department on the basis of marking list approved by Conservator of Forests, Working Plan Circle.
8. 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.
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 forest land so diverted shall return to the Forest Department when it is no longer required by the User Agency without any cost.
11. 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.
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 mode of payment of compensatory afforestation shall be according to Compensatory Afforestation Fund Management and Planning Authority (CAMPA) rules and shall be communicated lateron.

14. The possession of Forest land diverted for non-forestry purpose under the orders of 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 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.
15. In such proposals where heavy soil cutting/felling is likely to be involved, the user agency shall formulate appropriate Soil Conservation Management Plan with the consultation of Soil Conservation Department, J&K Govt. The implementation of the same, alongwith the other terms and conditions put by the Advisory Committee, shall be monitored by a committee of officials comprising of one official from Soil Conservation Department.
16. The user agency should ensure the availability of funds under appropriate heads for making payments due to the Forest Department as per the conditions stipulated in the order of transfer of forest land.

The proposal stands cleared/approved by the Advisory Committee in its 33rd meeting held under the Chairmanship of the Chief Secretary on 29.03.2006.

By order of the Government of Jammu and Kashmir

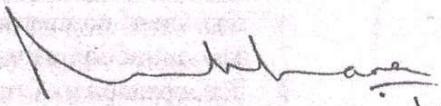
Sd/-
(Najamus Saqib),IAS
Commissioner/Secretary to Government,
Forest Department.

NO: FST/Land/32/2006

Dated: 18 .05. 2006.

Copy to the:-

1. Principal Chief Conservator of Forests, J&K Srinagar.
2. Conservator of Forests, Working Plan and Research Circle (Member Secretary) Advisory Committee.
3. Spl. Assistant to Hon'ble Forest Minister.
4. Pvt. Secretary to Commissioner/Secretary (Forests.)
5. PA to Secretary (Tech.) Forests.
6. PA to Deputy Secretary (Forests.)
7. Government order file (w,2,s,c.)
8. Stock file.


(Rukhsana Gani),KAS
Deputy Secretary to Government,
Forest Department.

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110 Road Constr Coy GREF)
C/O 56 APO

(52)

2100/RMFC/ 52 /E2

09 May'2006

The Chief Account Officer
Pr. CC of Forest Office
Jammu (J&K)

**FORWARDING OF DEFENCE CHEQUE ON A/C OF DIVERSION OF FOREST
LAND FOR WIDENING OF ROAD ARNAS-DHARMARI-MAHORE**

Sir,

1. Reference your letter No PCCF/FC/539/317-22 dated 03 Mar 2006.
2. Defence Cheque bearing machine No: - K-804938 dated 05 May 2006 for Rs 1,05,43,386.00 (Rupees One crore five lacs forty three thousand three hundred eighty six only) on account of diversion of forest land for widening to NH D/L specification of road Arnas-Dharmari-Mahore is forwarded along with receipt.
3. Further payment if any will be submitted to your office after receipt of final award.
4. In view of the above you are requested to forward receipt of cheque to this office for our audit purpose please.

Yours faithfully,


(Rajeeb Lochan)
AEE (Civ)
2IC
For Officer Commanding

Recd by
Chander Raj
For 110 RCO
Ge 18/12/06
Encls: One cheque bearing NO.K-804938
For Rs.1,05,43,386/-

Copy to :-

Pr. Chief Conservator of Forest
Jammu (J&K)

- for information, with reference to your letter No:
CFW/FC/424-28 dated 10 Feb 2006

Divisional Forest Officer Mahore
Forest Division Dharmari
District: Udhampur (J&K)
(encls- One)

- for information alongwith photo copy of Defence
cheque under mentioned.

HQ 31 BRTF
C/O 56 APO

- for information with reference your letter No
50009/LP/11/E5C dated 05 May 2006

364 RMPL
C/O 56 APO

- for information alongwith photo copy of Defence
cheque under mentioned.

OFFICE OF THE PR.CHEF CONSERVATOR OF FORESTS,J&K

38

The Comr. /Cher. Secretary to Govt.,
 Forest Dep. Jammu
 Civil Sectt. Jammu

NO.PCCF/FC/ 317/2006 DT: 03/03/2006.
 Subject:- Diversion of forest land for widening of road from Arnas-Dharmari to Mahore.
 Ref: CCF, Jammu No:CCF(J)/HAC/FC/205/2534-38 Dt:01.03.2006

Sir,

The Chief Conservator of Forests, Jammu has forwarded a proposal vide his letter referred to above for diversion of 11.53 Ha. of forest land for widening of road from Arnas-Dharmari to Mahore passing through Co No:134/Ar, 2/GG, 3/GG & 4/GG in Gulabgarh and Mahore Range of Mahore Forest Division under J&K Forest Conservation Act. The legend of the proposal is as under:-

1. Location	Co. 134/Ar, 2/GG, 3/GG & 4/GG in Gulabgarh and Mahore Ranges of Mahore Forest Division
2. Total Forest land involved	11.53Ha.
3. Total No. of trees to be felled	1313 trees/poles of different species & Dia-classes
4. Compensation of trees	Rs.1559886/-
5. Compensatory Afforestation for double the area i.e.23.06 Ha.	Rs.575000/-
6. Net Present value of Land	Rs.8647500/-
7. User Agency	GREF(SAMPARK)

It is recommended that the proposal may kindly be placed before the Advisory Committee for its approval strictly in accordance with the provisions of the J&K Forest Conservation Act on 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.
4. The User Agency shall pay Net present Value of the Land to the tune of Rs.8647500/- as assessed by the concerned DFO 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. Godavarman Thirumalpad V/s Union of India.
5. The User Agency shall be bound to pay an amount of Rs.1559886/- on account of compensation of 1313 number of trees/poles of different species and Dia-classes.
6. The User Agency shall pay Rs.575000/- on account of compensatory afforestation to be carried over 23.06H.
7. The extraction of trees shall be done by State Forest Corporation/Forest Department on the basis of mark list approved by Conservator of Forests, Working Plan Circle .
8. Any damage done to the forest by the user agency or its employees and contractors or people employed by the shall be charged from user agency at the rate of ten times the standard rate of 1992.
9. The user agency will construct complete retaining/breast walls on the both sides of the road and take other necessary steps, so as to minimize soil erosion/land slips.
10. The forest land so diverted shall return to the Forest Department when it is no longer required by the User Agency without any cost.
11. 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.
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 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 PCCF.

Yours faithfully

S.D. Swatantra (IFS)
 Mr. Chief Conservator of Forests
 U3/13

Copy for information and necessary action to the:-

1. Chief Conservator of Forests, Jammu .
2. Conservator of Forests, West Circle Raionri