

**FULL TITLE OF THE PROJECT:-**

Up-gradation and maintenance of road from L-049 Shiva to Kharma.

**Proposal No:-**

FP/JK/road/49090/2020

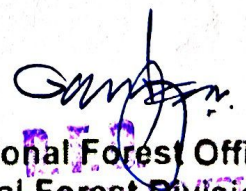
**Date of proposal: -**

17.09.2020

**Action taken report against the person responsible for violation (Point VI)**

It is submitted that as reported by Range Officer, Kandi and as per existing records, the department has taken appropriate action as per law against the violators from time to time by way of taking of the matter with Station House Officer, Police station Bomai, Sopore for registration of FIR against the user agency and contractors for violation of Forest Conservation Act, but the police authorities has declined and showed reluctance in lodging FIR against the violators reasons best known to them. Further, the department has taken up the matter with user agency (PMGSY Division Baramulla) from time to time for processing the case under the provisions of Forest Conservation Act and work was immediately stopped during the year 2020 when the user agency tried to carry out black topping and further up-gradation of the said road and user agency was asked to get it cleared under FCA (copy of the action taken is enclosed). Further, as per the standing Govt. orders/directions issued by the Assistant Inspector General of Forests Ministry of Environment, Forest and Climate Change (Govt. of India) vide F. No. 11-42/2017-FC dt:-29.01.2018, the penalty for violation of FCA, 1980 is recommended to pay 20% which is calculated as Rs. 8,94,832.00 (copy enclosed) as point No. (VII).

  
Range Officer  
Bomai  
Kandi Range  
Sopore

  
Divisional Forest Officer,  
Kamraj Forest Division,  
Zangli Kupwara





**OFFICE OF THE DIVISIONAL FOREST OFFICER,  
KAMRAJ FOREST DIVISION ZANGLI, KUPWARA.**

Ph/Fax No. 01955-253206, Email Id: [forestdivisionkamraj@gmail.com](mailto:forestdivisionkamraj@gmail.com)



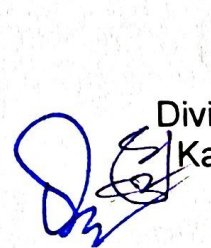
Range Officer,  
Kandi.

No.DFO/Kmj/ 2020-21/977-80L

Dated; 21 /08/2020.

Sub:- Violation of J&K Forest Conservation Act, 1980.

You will refer your letter No.447-50 dt.07.08.2020 addressed to SHO Police Station Bomai and copy whereof endorsed among other quarters to this office as well. In this connection, you are directed to submit the action taken report from police authorities concerned along with copy of FIR to this office for further n/action. In the meanwhile you will ensure that no violation of Forest Conservation Act, 1980 shall take place at any stage and the concerned field staff be directed to put strict watch for safe guarding the Govt. property. In case any violation is noticed at any stage, you will immediately lodge an FIR against the violators in concerned Police station without any delay under an intimation to this office, besides you will ensure that no illegal extraction/transportation of stones from reserved forests of the area/concerned site will take place.

  
Divisional Forest Officer,  
Kamraj Forest Division,  
Zangli Kupwara.

Copy along with copy of Range Officer Kandi's communication No.447-50/G dt.07.08.2020 for information & n/action to the:-

01. Conservator of Forests (K) North Circle Sopore.
02. Executive Engineer PMGSY Baramulla. He is requested to refer this office No.DFO/Kmj/2019-20/1717-22/G dt.31.10.2019 followed vide communication No.DFO/Kmj/2019-20/2068-84/G dt.04.01.2020 (p/s copy enclosed) and take further n/action accordingly. Besides, as per the provisions of Jammu and Kashmir Forest Conservation Act, 1980, place fresh indent (**Form-A**) online in the **PARIVESH** portal i.e. [www.parivesh.nic.in](http://www.parivesh.nic.in) for processing the subject proposed road. It is to further inform that without processing the case under the provisions of standing orders/directions is blatant violation of J&K Forest FCA 1980 and is punishable under law.

  
Divisional Forest Officer,  
Kamraj Forest Division,  
Zangli Kupwara.



**Office of the Range Forest Officer Kandi Forest Range  
Kamraj Forest Division**

**Station House Officer  
Police Station Bomai**

No:- 447-50/19

Date:- 07-08-2020

**Sub:-Violation of J&K Forest Conservation Act 1997.**

**Sir,**

As reported by Block Forest Officer Yemberzalwari that the PMGSY Baramulla has executed the work for up gradation of road from village Shiva to Kharma without obtaining proper sanction from the competent authority which is violation of J&K Forest Conservation Act 1997 and is punishable offence under law and has requested the undersigned for initiation of action into the matter against the intending Agency. In this connection, Block Officer has reported that during construction of said road the user agency procured /extracted rubbed stones for demarcated forests, during which one Deo green tree felled down and the said Deo tree has been handed over to I/C beat guard for safe custody reportedly the intending agency as per their estimate had to procured the rubber stones from three KMs away instead of that they extracted the same in the forests, Therefore there is every apprehension of mass erosion in compartment 24/Kandi Yemberzalwari Forest Block. Therefore FIR may be registered against the involved accused as per report of BO concerned which is appended herewith.

Yours faithfully,

**Range Forest Officer  
Kandi Forest Range  
Sopore**

01. Copy submitted to Divisional Forest Officer Kamraj Division Kupwara for favour of information and necessary action please. The intending agency has already submitted a proposal under FCA before the Worthy PCCF J&K and the same stands forwarded to Executive Engineer PMGSY Baramulla by your good self with the request to liaise with the Range Officer Kandi through representatives along with the field authorities of Revenue Department for conducting of joint survey in the instant case to delineate the Forest land coming under up gradation of road alignment from village Shiva to Kharma for processing the case under the provisions of J&K FCA 1997 vide letter No:- DFO/Kmj/2019-20/1717-22/G dated:-31.10.019.

02. Copy to Assistant Executive Engineer PMGSY Baramulla for information and necessary action. It is to intimate that PMGSY Baramulla has executed the work on spot without obtaining proper sanction from the competent authority which is violation of J&K Forest Conservation Act 1997. The Block Forest Officer Yemberzalwari has been directed to assess the loss caused to the forests and the damage bill with 10 times compensation as per standing Govt. order /instructions will be raised and shall follow shortly.

03. Copy to Block Forest Officer with the directions to ensure stoppage of further work and will seize the tools and machinery if any under an intimation to this office. He will also investigate the role of concerned field staff under which circumstances/capacity the execution of work has been allowed within demarcated forests.

*4c FCA  
for necessary  
action &  
reporting  
DFO in  
Sopore*

816  
10-08-2020