

Details of Violation of Forest Conservation Act, 1980 in HAHARA PRF.

1. Nature of Offence.
 - ❖ Trespass, fresh clearing of area of Proposed Reserve Forest, prohibited under section 7, 25, of Assam Forest Regulation, 1891 (Amended up to date), surface damage, use of Forest land for Non-Forest purposes prohibited under section 2 of the Forest (Conservation) Act, 1980, and Construction of water tank 3 nos, RCC building 2 nos, RCC water filter – 1 no. , construction of Assam type house – 2 nos and temporary latrine – 1 no. Construction of approach road (7 nos photographs enclosed as **Exhibit 11** in **Annexure – II**)
2. Location of site (division, district, range, forest block, compartment no., name of PRF/RF etc. with details of Gazette notification regarding PRF/RF etc.)
 - ❖ Division - Kamrup East Division, District – Kamrup Metro, Range – Sonapur Range, RF – Hahara PRF, Part – II (Gazette notification No. FRS.531/81, dtd. 14/12/1981 is enclosed as **Exhibit – 4** in **Annexure - II**.)
3. Extent (Area affected under violation, photographs, video films etc.)
 - ❖ 1.65 hectares Utilized for construction of Water Tank, RCC Building, Water Filter, Approach Road under the project.
4. Number, Species and details of tree felled, out turn, value etc.
 - ❖ No tree felling, only herbs and shrubs cleared.
5. Date of detection of offence.
 - ❖ Date of detection of offence was on **10/01/2018**. (Supporting Document is the Letter Vide No. SP/14 (A)/PRF/29 Dtd. 10/01/2018, issued by the Range Forest Officer, Sonapur Range, Sonapur to the Divisional Forest Officer, Kamrup East Division, Basistha, Guwahati – 29, intimating him regarding construction of water tank and approach road by the contractor of Public Health Engineering. (Enclosed Range Forest Officer's letter No. SP/14 (A)/PRF/29 Dtd. 10/01/2018 (**As Annexure I**).
6. Action taken under Indian Forest Act/Local Forest Act, POR/FIR Number.
 - ❖ Offence report drawn by Range Forest Officer, Sonapur Range, vide no. SP/61 of 2018-19 dtd. 10/01/2018 under Assam Forest Regulation, 1891 (Amended up to date) AMMC Rules, 2013. The Offence report forwarded to the Chief Judicial Magistrate, Kamrup (M), for trail vide Divisional Forest Officer, Kamrup East Division letter No. B/KE/OR/4415-16, dtd. 29/07/2020 With acknowledgement from the honourable court in support of the receipt of the offence report [Seizure report, Digitized Map, Photographs etc. have been furnished with the offence report]. (**Annexure II**).
7. State Local Act/Rule – Violated.
 - ❖ Assam Forest Regulation, 1891(Amended up to date) and AMMC Rules, 2013.
8. Order of any authority/Officer vide which violation has taken place, Issuing authority, Name and Designation of the Officer who passed the order, Present posting.
 - ❖ The order was issued by
 - i. The report was submitted by Sri Palash Pratim Borah, ACS the then Circle Officer, Sonapur Revenue Circle, (Now expired) vide letter No. SPR/Abonton (in)-6/2005, dtd. Nil is enclosed as **Exhibit – 10 in Annexure – II**.
 - ii. AEE, PHE, Guwahati Sub-division, Guwahati. In this regard letter No. AEE/PHE/GHY/Misc.-34 (A)/2017-18/1780, dtd. 28/03/2018 is enclosed as **Exhibit 7 in Annexure – II**.
9. Whether violation still exist.
 - ❖ Yes, all water tank, RCC building, Assam type houses, approach road are still exists on Forest land.

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10. Officials responsible for abetment of violation – provide complete details

(a) Sri Palash Pratim Borah, ACS the then Circle Officer, Sonapur Revenue Circle, (Now expired) regarding allotment of land vide letter No. SPR/Abonton (in)-6/2005, dtd. Nil is enclosed as **Exhibit-2** – ~~VIII~~ in **Annexure – II**.

❖ (b) Sri Ranjit Konwar, AFS,

- i. Violation detected in his time (Letter No. (i) SP/14 (A)/PRF/29, dtd. 10/01/2018 as **Annexure – 1** (ii) B/KE/RF/3319-26, dtd. 20/03/2018 to Range Forest Officer, Sonapur Range, enclosed as **Annexure III**.
- ii. No OR was filed under Assam Forest Regulation, 1891,
- iii. No Forest Conservation Act violation report filed.
- iv. No field visit was reported

(c) Sri Dalim Das, FR. the then Range Forest Officer, Sonapur Range, presently posted as R.O, Protection Squad Range, Kamrup East Division, Basistha.

Reasons: -

- i. Forest conservation violation was happened in the PRF during his time, (Letter No. B/KE/RF/3319-20, dtd. 20/03/2018, issued by the Divisional Forest Officer to him, enclosed as **Annexure IV**.
- ii. Negligence and dereliction of Government duty leading to allowing non-forest activities inside the PRF on violation of Forest (Conservation) Act, 1980.
- iii. Abet the contravention towards the provisions of the rules containing in the Forest (Conservation) Act, 1980 leading to damage PRF and Forest Land.
- iv. Failure to discharge statutory duties and responsibilities leading to damage PRF and Forest Land as an In-charge of a Range.
- v. Failed to submit offence report.

(d) Sri Gautam Mahanta, FR, the then Range Forest Officer, Sonapur, presently posted as Range Forest Officer, Lakhipur Social Forestry Range, Goalpara S.F. Division.


Reasons: -

- i. Forest conservation violation was detected in the PRF during his time, (Letter No. B/KE/RF/3297-98, dtd. 20/03/2018, issued by the Divisional Forest Officer to him, enclosed as **Annexure V**.
- ii. Negligence and dereliction of Government duty leading to allowing non-forest activities inside the PRF on violation of Forest (Conservation) Act, 1980.
- iii. Abet the contravention towards the provisions of the rules containing in the Forest (Conservation) Act, 1980 leading to damage PRF and Forest Land.
- iv. Failure to discharge statutory duties and responsibilities leading to damage PRF and Forest Land as an In-charge of a Range.
- v. Failed to submit offence report.

11. Toposheet, survey of India map of the site with relevant details (either coloured photocopy or on a tracing paper)

❖ Toposheet Map & Google Map with GPS Co- Ordinate showing the construction of water tank, RCC building, Assam type houses, approach road inside Hahara PRF `part –II. (Enclosed in **Annexure X as exhibit**).

Submitted


Divisional Forest Officer
Kamrup East Division, Basistha,
Guwahati- 29