

Revised Detailed Report on Violation of the Forest Conservation Act. 1980

Proposal no:- FP/JK/Road/149333/2021

As per the site inspection, it has been observed that the user Agency (PWD R&B Spl. Sub Division Doda) has violated the provisions of Forest (Conservation) Act. 1980 by Construction of link road from Udyanpur to Rai Sarwala Km 1st to 5th and the case is under process on Parivesh under the provisions of Act and started construction of road without stage 1st approval and hence is liable for punishment under rule 3 (B) issued by the Assistant Inspector General of Forest Ministry of Environment, Forest and Climate Change (Government of India) vide F. No. 11-42/2017-FC dt. 29-01-2018. Further it is mention that at present Construction of link road from Udyanpur to Rai Sarwala Km 1st to 5th PWD (R&B) spl sub Division Doda has been stopped.

1. The penalty for violation shall be equal to NPV of Forest Land per hectare for each of violation from the date of actual diversion as reported by inspecting officer with maximum upto five (5) time the NPV plus 12% simple interest till the deposit is made.
2. In case of public utility projects of the Govt. the penalty shall be 20% of the penalty proposed in para (i) above.

The above mentioned user agency has not followed the due procedure for Forest land Diversion case and has constructed link road from Udyanpur to Rai Sarwala Km 1st to 5th without any sanction has broken inside the SF closures (New Seel and Lahri Dhak) 400ft. and damaged 7 No of trees as reported by Range Officer SF Range Doda vide No.68/ROSFD dated 27-07-2022. The penalty as such calculated is as under :-

1. Total NPV = 413095/-
2. Penalty for 5 years (5 x 413095) = 2065475/-
3. Simple interest @ 12% in penalty amount = 247857/-
4. Total penalty amount = 2313332/-
5. 20% of recoverable penalty amount (as the project is of public utility) = 462666.4

As per the standing Govt. orders/directions and keeping in view the violation of the Forest Conservation Act. 1980 the User Agency (PWD R&B Spl. Sub Division Doda) is recommended to pay 20% of the penalty proposed in the para (i) above which is calculated as Rs. 462666.4 (Four lac sixty two thousand six hundred sixty six Rupees and four paisa) and it is as such requested / recommended that the case may kindly be approved under the provision of the FCA 1980 please.


Range Officer
Social Forestry Range
Doda


Divisional Forest Officer
Social Forestry Division
Doda