

**GOVERNMENT OF ARUNACHAL PRADESH**  
**DEPARTMENT OF ENVIRONMENT, FORESTS & CLIMATE CHANGE**  
**ITANAGAR**

No. FOR.181/Cons/2022/ 4638-42

Itanagar dated 2<sup>nd</sup> December'2025

To

✓ The Assistant Inspector General of Forests (FC Division),  
Government of India, Ministry of Environment, Forest and Climate Change  
Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi-110003

**Sub: Proposal for regularisation of encroachment and ex-post facto approval of the Central Government under Section 2 (1) of the Adhiniyam,1980, in favour of District Administration, Namsai, Government of Arunachal Pradesh, for non-forestry use of 19.52 ha. of forest land for the establishment of Golden Pagoda at Namsai under Namsai Forest Division in Namsai District of Arunachal Pradesh( Proposal No.FP/AR/Others/154344/2022)-Reg.**

Ref: Your letter No. F. No. ANC081/2022/GHY/I/67895/2024 Dated 15.03.2024

Sir,

With reference to the letter cited above, this is to submit a compliance report as below of the conditions stipulated therein for favour of your information and necessary action:

i.	Legal Status of the diverted forest land shall remain unchanged	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-I</b>
ii.	<b>Compensatory Afforestation</b>	
a.	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, as per the approved CA Scheme, at the current wage rate, in consultation with the State Forest Department, to the CAMPA account of the concerned State through the online portal.	The total amount of Rs.17,55,57,384/-, being received for the cost of Compensatory Afforestation, Penal Compensatory Afforestation, 25% for Soil and Moisture Conservation, NPV, 5 times NPV with 12% simple interest, has been deposited to the National Authority (CAMPA) vide challan dated 30.07.2025 & UTR No. SBINR52022506309056640 2 (copy of challan is enclosed) <b>at Annexure-I</b>

b.	The State Government shall submit the CA scheme on degraded Forest land for four (4) times the area of the land proposed for diversion as guidelines 2023.	The 4 times degraded forest land for CA is identified in Khamang RF, along with the KML file, CA estimate and Suitability Certificate is enclosed as <b>Annexure-II</b>
c.	The cost of survey, demarcation, and erection of permanent pillars, if required on the identified CA land, shall be deposited in advance with the Forest Department by the user agency. The CA will be maintained for 10 years. The scheme may include afforestation of indigenous species - with appropriate provision for anticipated cost increase for works scheduled for subsequent years.	Noted
d.	The Compensatory afforestation over degraded forest land, 4 times in extent to the forest land being diverted i.e.78.08 ha, shall be raised by the State Forest Department at the project cost within three years from the date of grant of Stage-II approval.	The 4 times degraded forest land for CA is identified in Khamang RF, along with the KML file, CA estimate and Suitability Certificate is enclosed as <b>Annexure-II</b>
e.	25% of the CA cost will additionally be spent towards soil and moisture conservation activities in the proposed CA area as per site requirements and deposited in CAF	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-III</b>
iii.	<b>NPV</b>	
a.	The User agency shall transfer the funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal from the User agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008,24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No.5-3/2007-FC dated 06.01.2022 read with 22.03.2022 through online portal of CAMPA account of the State Concerned.	The total amount of Rs.17,55,57,384/-, being received for the cost of Compensatory Afforestation, Penal Compensatory Afforestation, 25% for Soil and Moisture Conservation, NPV, 5 times NPV with 12% simple interest has been deposited to the National Authority (CAMPA) vide challan dated 30.07.2025 & UTR No. SBINR52022506309056640 2 (copy of challan is enclosed) at <b>Annexure-I</b>
b.	At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall	<b>The User agency has submitted the undertaking,</b>



	furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.	<b>which is enclosed as Annexure-IV</b>
c.	The user agency shall pay the five (5) times penal NPV plus 12 percent simple interest from the date of raising such demand till the deposit is made by the user agency; The penal NPV is to be calculated on the whole of the diverted area since the whole of the diverted area is under occupation as on date.	The total amount of Rs.17,55,57,384/-, being received for the cost of Compensatory Afforestation, Penal Compensatory Afforestation, 25% for Soil and Moisture Conservation, NPV, 5 times NPV with 12% simple interest, has been deposited to the National Authority (CAMPA) vide challan dated 30.07.2025 & UTR No. SBINR52022506309056640 2 (copy of challan is enclosed) <b>at Annexure-I</b>
iv.	The State Government shall ensure that a stone boundary wall shall be created on the Golden Pagoda site at the cost of the user agency within the total diverted area.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-V</b>
v.	The State Government shall ensure that the green belt shall be maintained in the 9.71 ha. No change in land-use of the green belt shall be permitted in the area.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-VI</b>
vi.	The State Government shall also ensure that no further expansion of built-up area is undertaken beyond 9.74 ha. the partially complete structure under construction shall be complete, only as per the land-use plan the land-use plan submitted, from the eco-friendly materials only.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-VII</b>
vii.	The State Government shall clarify the role of the Tai Khamti Heritage Society in the ownership and management of the Golden Pagoda before Stage-II approval.	The diverted forest land shall be used to promote the religious tourism industry with recreational facilities for the preservation of the rich culture and tradition of the district. Therefore, the role of Tai Khampti Heritage Society will be the management and

		<p>maintenance of the infrastructure created within the Golden Pagoda while preserving the old traditions and culture. The user agency shall enter a "Memorandum of Understanding (MoU)" followed by "Lease Agreement" with the Tai Khamti Heritage Society with its Headquarters at Chowkham for the establishment and maintenance of Golden Pagoda on a long-term basis after approval of Stage-II forest clearance, i.e., on approval of diversion of 19.52 ha. of forest land under section 2(i) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, in favour of District Administration, Namsai, Govt. of Arunachal Pradesh. The Memorandum of Understanding (MoU) &amp; lease agreement shall not confer ownership of Tai Khamti Heritage Society. The legal status of the land shall remain unchanged. The copy of the detailed report submitted is enclosed as <b>Annexure-VIII</b></p>
viii.	The State Government shall ensure the compliance of the all-relevant court order in this matter.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-IX</b>
ix.	The State Government or Regional Officer Shillong shall take action under section 3A/3B of the Adhiniyam, 1980 and a report will be submitted to the Ministry at the time of submission of compliance of Stage-I. The Regional office shall	The detailed report submitted by the Chief Conservator of Forest, Eastern Arunachal Circle,



	further pursue the progress of the offences booked against the erring officers. Furthermore, the State Govt. shall take strict action against officials as per the report of the Committee as constituted vide letter dated 08.08.2023 in pursuance of the Hon'ble NGT dated 28.07.2023.	Tezu, is enclosed as <b>Annexure-X.</b>
x.	The State Government shall submit the updated status report of the cases booked in the relevant forest acts with respect to the present proposal area.	The detailed report submitted by the Chief Conservator of Forest, Eastern Arunachal Circle, Tezu, is enclosed as <b>Annexure-X.</b>
xi.	No further diversion of forest for non-forestry activity will be sought at the site of Golden Pagoda project or nearby area in further.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-XI</b>
xii.	No further diversion of forest for non-site-specific purposes shall be considered in future for projects inside the notified Forest area in Namsai District that find mention in the Hon'ble National Green Tribunal Original Application No.25/2023/EZ (I.A.NO.32/2023/EZ) Interim Order dated 16.03.2023 and Final Order dated 28.07.2023	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-XII</b>
xiii.	The State Government shall ensure that all other encroachments on the notified forest land shall be removed in a phased manner while following the extant Rehabilitation & Re-settlement policy. The State Government shall submit a plan progress report for the same at the time of seeking Stage-II approval.	The State Government shall be apprised of the matter for necessary action.
xiv.	Compensatory levies to be realized from the user agency under the project shall be transferred/deposited, through e-challan, into the account of CAMPA pertaining to the State concerned through e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> )	<b>Noted and complied</b>
xv.	The KML files of the diverted area, the CA area and the proposed SMC treatment area shall be uploaded on the E-Green watch portal with all requisite details prior to Stage-II approval.	<b>Uploaded</b>
xvi.	The cost of felling of trees shall be deposited by the User agency with the State Forest Department.	<b>The User agency has submitted the undertaking,</b>

		<b>which is enclosed as Annexure-XIII</b>
xvii.	Trees should be felled in phased manner as per the requirement with prior permission of concerned DFO.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-XIV</b>
xviii.	The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-XV</b>
xix.	No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-XVI</b>
xx.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-XVII</b>
xxi.	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-XVIII</b>
xxii.	No damage to the flora and fauna of the adjoining area shall be caused.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-XIX</b>
xxiii.	Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of the competent authority in the interest of conservation, protection and development of forests & wildlife.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-XX</b>
xxiv.	The user agency shall comply with all the provisions of all Acts, Rules, Regulations, Guidelines, complete compliance of the FRA,2006, Hon'ble Court Order (s) and NGT Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-XXI</b>
xxv.	Violation of any of these conditions will amount to violation of the Forest (Conservation) Act,1980,	<b>The User agency has submitted the undertaking,</b>



	and action would be taken as prescribed in para-1.16 of Chapter 1 of the Handbook of comprehensive guidelines of Van (Sanrakshan Evam Samvardhan) Adhiniyam,1980 as issued by this Ministry's letter No.5-2/2017-FC dated 29.12.2023	<b>which is enclosed as Annexure-XXI</b>
xxvi.	The User Agency shall submit the annual self-compliance report in respect of the above-stated conditions to the State Government, the concerned Regional Office, and to this Ministry by the end of March every year regularly.	<b>The User agency has submitted the undertaking, which is enclosed as Annexure-XXII</b>
xxvii.	The compliance report shall be uploaded on the e-portal( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).	Uploaded

In view of the above details submitted, it is requested to kindly issue necessary formal approval for the proposal for the regularization of encroachment and ex-post facto approval of the Central Government under Section 2 (1) of the Adhiniyam,1980, in favour of District Administration, Namsai, Government of Arunachal Pradesh, for non-forestry use of 19.52 ha. of forest land for the establishment of Golden Pagoda in Namsai District of Arunachal Pradesh under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam,1980, at an early date.

**Enclosed: - As stated above**

Yours faithfully,

(P. Subramaniam)

PCCF & HoFF

Govt. of Arunachal Pradesh

**Copy to: -**

1. The DDGF (Central), Sub Office, Guwahati (under Regional Office, Shillong), 4<sup>th</sup> Floor, Housefed Building, Rukminigaon, Guwahati- 781022, for kind information and necessary action.
2. The Chief Conservator of Forests, EAC, Tezu for information.
3. The Deputy Commissioner, Namsai District for information.
4. The DFO, Namsai Forest Division for information.

(P. Subramaniam)

PCCF & HoFF

Govt. of Arunachal Pradesh



Annexure-1



## **UNDERTAKING I**

In reference to the directions given in **Paragraph i**, of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai, hereby undertake that the User Agency affirmed that the legal status of the diverted forest land shall remain unchanged.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh  
Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



## **UNDERTAKING II**

In reference to the directions given in **Paragraph ii(a)** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that the User Agency had deposited as sum of ₹ 17,55,57,384.00 (Rupees **Seventeen Crore Fifty-Five Lakhs Fifty-Seven Thousand Three Hundred Eighty-Four Only**) in the A/c No. 520101263743426, Beneficiary Name CAF, Arunachal Pradesh CAMPA, Union Bank of India vide reference NO. SBINR520225063090566402 on 30<sup>th</sup> June 2025. The amount to the tune of ₹ 1,16,10,100.00 being the cost of compensatory afforestation over degraded forest land for an area as per condition No.2(ii)(a) i.e.  $4 \times 19.52 = 78.08$  or say 78.10 Ha is included in the total deposits.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P.)

Counter foil



SBI STATE BANK OF INDIA

Branch ChowkhamDate 30/06/25

Received ₹

From D.P.O. Namren

For remittance of NEFT/RTGS by way of

(i) Transfer (only NEFT), (ii) Cash (only

NEFT), (iii) Cheque (NEFT/RTGS) using

Cheque No. 114423favouring CAF, Arunachal PradeshCAMPAA/c. No. 520101263743426IFSC Code UBIN0903710Beneficiary Bank & Branch UnionBank of India, Lodhi complexAmount ₹ 17,55,57,384/-

Bank's Charges ₹

Total ₹ 17,55,57,384/-

(Rupees ..... only)

For Office Use

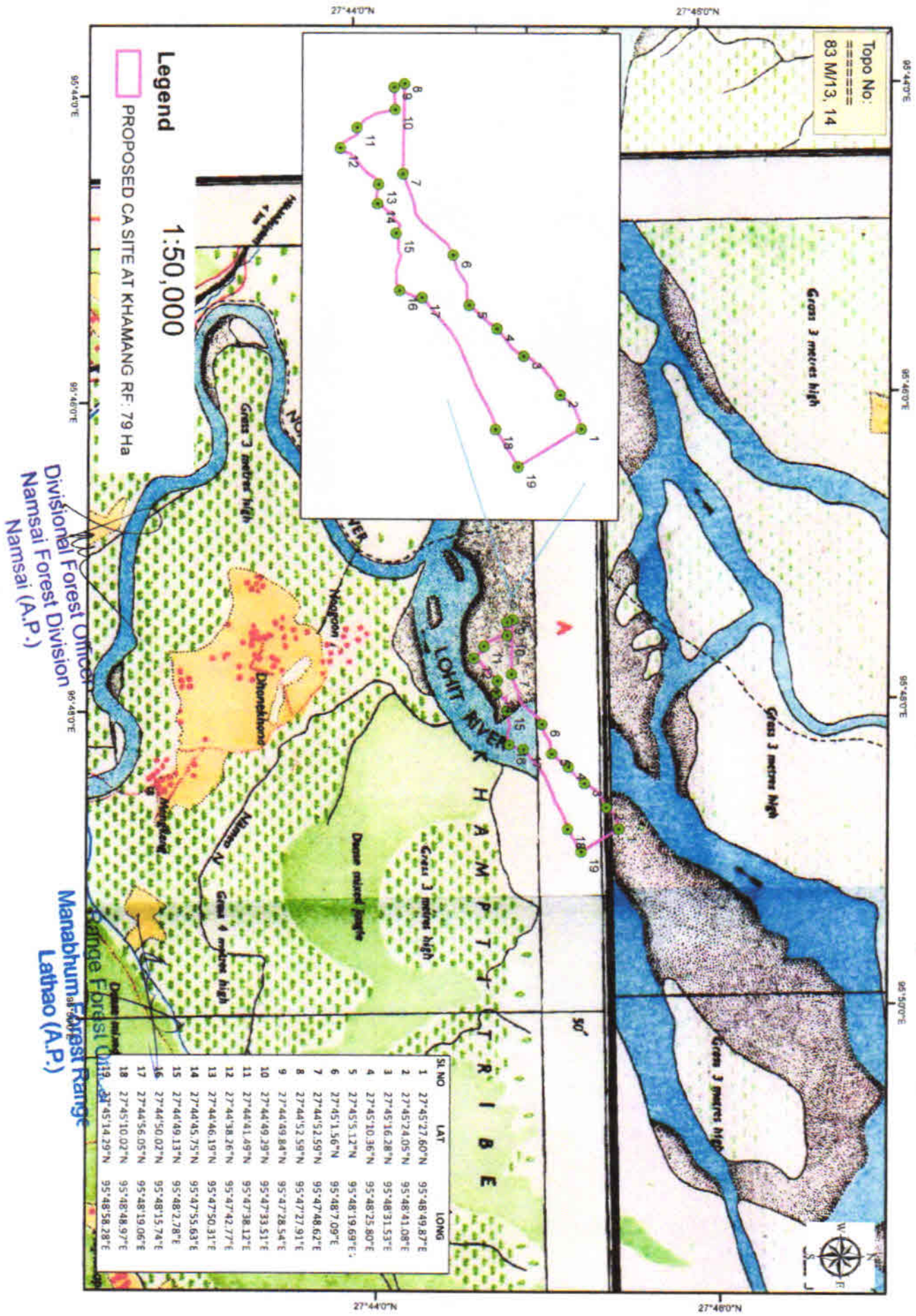
UTR No. ....

Branch Manager

SINR52025063090566402



# Map of Proposed Penal CA Area under Namsai Forest Division against diversion of forest land on which Golden Pagoda Buddhist religious site is located



Map of Proposed Penal CA Area under Namsai Forest Division  
against diversion of forest land on which Golden Pagoda Buddhist religious site is located

85°48'0"E

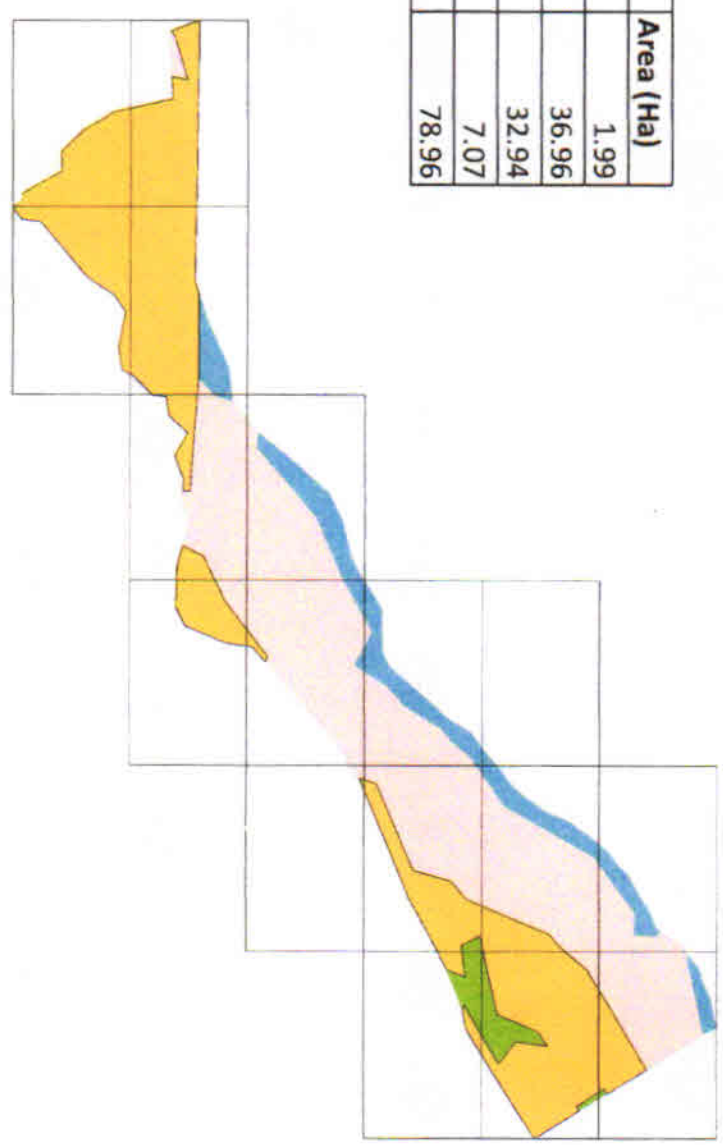
REPORT AS PER THE GIS BASED DECISION SUPPORT SYSTEM, FSI, DENSITY ( 2023)



**Legend**

Description	
MDF	
OF	
NON FOREST	
WATER	

Description	Area (Ha)
MDF Total	1.99
NON FOREST Total	36.96
OF Total	32.94
WATER Total	7.07
Grand Total	78.96



1:15,000

Range Officer  
Manabhum Forest Range  
Lalibao (A.P.)

Divisional Forest Officer  
Namsai Forest Division  
Namsai (A.P.)



ESTIMATE FOR RAISING PROPOSED COMPENSATORY AFFORESTATION PLANTATION UNDER  
NAMSAI FOREST DIVISION IN DEGRADED FOREST LAND AGAINST ESTABLISHMENT OF GOLDEN  
POGODA As per condition 2(ii)(d)

Name of project : Establishment of Golden Pogoda, Namsai  
User Agency : General Administration District Secretariat Namsai, Govt. of  
Location of CA : Khamang Reserve Forest  
Area of CA : 19.52 x 4 = 78.08 ha  
Wages rate (DL) : 400

		Unit	Qnt	Rate	Amount
<b>A</b>	<b>Creation of Nursery</b>				
	Cost of seedlings @ 1100 Nos. / ha.	ha	85888	18	1545984
<b>1</b>	<b>1ST YEAR OPERATION</b>				
	Survey & demarcation and preparation of map @ 4 mandays/ ha.	ha	135.92	1668	226715
	<b>Sub Total</b>				
<b>2</b>	<b>2ND YEAR OPERATION</b>				
	(i) Erection of barbed wire fence (5 strand) fencing per 100 Rmt.	Rmt	4950	262.51	1299425
	(ii) Maint. Barbed wire fencing @ 5% of erection cost in each year from 3rd year to 6th year Add.				
	Add 10% escalation value by multiplying factor:				
	1.20 for 3rd year				
	1.3 for 4th year				
	1.4 for 5th year				
	1.5 for 6th year				
	<b>Sub-Total</b>				
<b>3</b>	<b>Raising of seedlings for casualty replacement</b>	<b>No.</b>	<b>21472</b>	<b>18.0</b>	<b>386496</b>
	3rd year 15%=165 Nos				
	4th year 10%= 110 Nos. Total= 275 Nos.				
<b>4</b>	<b>RAISING OF PLANTATION</b>				
	(i) Clearance of brush wood, planting lines & staking of debries @ 15 mandays/ha.	ha	78.08	63800	4981504
	(ii) Alignment of pits & preparation of stakes, staking @ 10 mandys/ha				
	(iii) Digging of pits 30 Cm X 30 Cm X 30 Cm @ 22 mandays/ha				
	(iv) Preperation of thala by uprooting of debris by hoeing around pits @ 22 mandays/ha				
	(v) Carring of sapling to the planting site i/c planting of sapling @ 30 mandays (Area II) & 20 mandays (Area-I)/ha				
	(vi) Making of inspection path 1mtr wide @ 3 mandays/ha				



	(vii) Fire line cutting 3mtrs wide along the periphery @ 5 mandays/ha				
	(viii) Tending - 4 weeding @ 12 mandays/weeding/ha				
	Add 10% escalation value on total of item 4(i) to 4(viii)				
5	<b>3RD YEAR OPERATION</b>	ha	78.08	21600	1686528
	(i) Tending - 3 weeding @ 12 mandays/ha				
	(ii) Casualty replacement 15%				
	(iii) Maint. of inspection path @ 1 manday/ha				
	(iv) Maint. Of fireline @ 1 manday/ha				
	Add 20% escalation value on total of item 5(i) to 5(iv)				
6	<b>4TH YEAR OPERATION</b>	ha	78.08	17160	1339853
	(i) Tending -2 weedings @ 12 mandays/weeding/ha				
	(ii) Casualty replacement 10% @ 7 mandays/ha				
	(iii) Maint. Of inspection path @ 1 manday/ha				
	(iv) Maint. of fireline @ 1 manday/weeding/ha				
	Add 30% escalation value on item 6(i) to 6(iv)				
7	<b>5TH YEAR OPERATION</b>	ha	78.08	7840	612147
	(i) Tending - 1 weedings @ 12 mandays/weeding/ha				
	(ii) Maint. of inspection path @ 1 manday/ha				
	(iii) Maint. Of fire line @ 1 manday/ha				
	(iv) Add paid holiday @ 18.63% on item 7(i) to 7 (iii)				
	Add 40% escalation value on item 7(i) to 7(iv)				
8	<b>6TH YEAR OPERATION</b>	ha	78.08	8400	655872
	(i) Tending - 1 weedings @ 12 mandays/weeding/ha				
	(ii) Maint. of inspection path @ 1 mnday/ ha.				
	(iii) Maint. of fireline @ 1 manday/ha.				
	Add 50% escalation value on item 8(i) to 8(iii)				
9	<b>7TH YEAR OPERATION</b>	ha	78.08	3200	249856
	(i) Maint. of inspection path / fireline & climber cutting @ 5 mandays/ha				
	Add 60% escalation value on total item 9(i)				
10	<b>8TH YEAR OPERATION</b>	ha	78.08	3400	265472

	(i) Maint. of inspection path / fireline & climbing cutting @ 5 mandays/ha					
	Add 70% escalation value on item 10(i)					
	<b>Sub-Total</b>					
<b>11</b>	<b>9TH YEAR OPERATION</b>	<b>ha</b>	78.08	3600	281088	
	(i) Maint. of inspection path / fireline & climber cutting @ 5 mandays/ha					
	Add 80% escalation value on total of item 11(i)					
<b>12</b>	<b>10TH YEAR OPERATION</b>	<b>ha</b>	78.08	3800	296704	
	(i) Maint. of inspection path / fireline & climber cutting @ 5 mandays/ha					
	Add 90% escalation value on total of item 12 (i)					
13	Wages for plantation watchman at the rate of Un/skilled labourer round the year for 10 year (one watchman for every 25 ha) @ 12000/- for Area-I & Rs.12500/- for Area-II per month. Add escalation value by multiplying factor 1st year.	No.	3	2088000	6264000	
	(M.F=1.1) for 2nd year					
	(M.F=1.2) for 3rd year					
	(M.F=1.3) for 4th year					
	(M.F=1.4) for 5th year					
	(M.F=1.5) for 6th year					
	(M.F=1.6) for 7th year					
	(M.F=1.7) for 8th year					
	(M.F=1.8) for 9th year					
	(M.F=1.9) for 10th year					
14	a) Const. of OBT labour shed (2 room) for workers at Plantation site subject to a minimum area of 15 ha and upto 25 ha beyond 25 ha one room to be added for every 13 ha or part thereof at proportionate cost.	No.	3.00	565800	1697400	
	b) Maint. Of OBT hut @ 25% of the const. Cost per year from 4th year to 6th year including escalation value by multiplying factor					
	1.3 for 4th year					
	1.4 for 5th year					
	1.5 for 6th year					
15	a) Constn. Of Modified Improved Basha Type standard size quarter for every 50 ha.	No.	1.00	3171654	3171654	

	b) Maint. Of @ 20% of constn. Cost per year (from 2nd year to 9th year) including:					
	1.2 for 3rd year					
	1.3 for 4rd year					
	1.4 for 5rd year					
	1.5 for 6rd year					
	1.6 for 7rd year					
	1.7 for 8rd year					
	1.8 for 9rd year					
16	Approach foot track to plantation in area where necessary	Rmt	2500	7.56	18900	
17	Monitoring, Supervision (POL, Maint. of vehicles, including TE etc.) @ 12% and Contingency @ 3% to meet up unseen expenditure i.e 15% on item No.1 to 19 plus Nursery cost to meet the unforeseen expenditure Rs.24979597/-				3746940	
18	Provision for soil and moisture conservation structures (where needed) @ Rs. 8280/- per ha.	ha	78.08	8280	646502	
				<b>Total</b>	<b>29373039</b>	
					29373000	

(Rupees two crore ninety three lakh seventy three thousand ) only

Prepared by



(D.K.Poddar) Addl. Chief Estimator  
O/O PCCF, Itanagar



Nodal Officer (FCA)



Annex - III



**GOVERNMENT OF ARUNACHAL PRADESH  
OFFICE OF THE DIVISIONAL FOREST OFFICER  
NAMSAI FOREST DIVISION :: NAMSAI**



No. AND/66/2019/Tech/ 2930

Dated Namsai the 25<sup>th</sup> Nov'2025

**TO WHOM IT MAY CONCERN**

**Suitability of Forest land under Namsai Forest Division for raising  
Penal Compensatory Afforestation against diversion of forestland for  
Golden Pagoda (Kongmu-Kham)**

Certified that an area of **78.08 Hectares** of forest land identified at Khamang RF under Manabhum Forest Range of Namsai Forest Division is suitable for raising Penal Compensatory Afforestation against diversion of forestland for Golden Pagoda (Kongmu-Kham).

  
T. Jambhwal (APFS)

Divisional Forest Officer  
Namsai Forest Division, Namsai.



### **UNDERTAKING III**

In reference to the directions given in **Paragraph ii(c)** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that cost of survey, demarcation, and erection of permanent pillars, if required on the identified CA land, shall be deposited in advance with the Forest Department by the user agency. The CA will be maintained for 10 years. The scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years.



Deputy Commissioner

Namsai District: Namsai  
Arunachal Pradesh


Deputy Commissioner,  
Namsai District :: Namsai (A.P.)





## **UNDERTAKING IV**

In reference to the directions given in **Paragraph ii(d)** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that the User Agency had deposited as sum of ₹ 2,93,73,000.00 being the cost of panel compensatory afforestation over degraded forest land for an area as per condition No. 2(ii)(d), i.e.  $19.52 \times 4 + 78.08$  Ha.

  
Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh  
Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



## **UNDERTAKING V**

In reference to the directions given in **Paragraph ii(e)** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that the 25% of the CA cost will additionally be spent towards soil and moisture conservation activities in the proposed CA area as per site requirements and deposited in CAF.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District:: Namsai (A.P)





## **UNDERTAKING VI**

In reference to the directions given in **Paragraph iii(a)** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that the User agency had transferred the funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal from the User agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No.5-3/2007-FC dated 06.01.2022 read with 22.03.2022 through online portal of CAMPA account of the State Concerned.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



## **UNDERTAKING VII**

In reference to the directions given in **Paragraph iii(b)** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that in the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P)





### **UNDERTAKING VIII**

In reference to the directions given in **Paragraph iii(c)** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that the user agency had paid the five (5) times penal NPV plus 12 percent simple interest from the date of raising such demand till the deposit is made by the user agency; the penal NPV is calculated on the whole of the diverted area since the whole of the diverted area is under occupation as on date.


Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



## **UNDERTAKING IX**

In reference to the directions given in **Paragraph iv** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake the State Government represented by user agency shall ensure that a stone boundary wall shall be created on the Golden Pagoda site at the cost of user agency within the total diverted area.

  
Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh  
Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



## **UNDERTAKING X**

In reference to the directions given in **Paragraph v** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake the State Government represented by user agency shall ensure that the green belt shall be maintained in the 9.71 ha. No change in land-use of the green belt shall be permitted in the area.

  
Deputy Commissioner

Namsai District: Namsai

Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P)





## **UNDERTAKING XI**

In reference to the directions given in **Paragraph vi** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake the State Government represented by user agency shall also ensure that no further expansion of built-up area is undertaken beyond 9.74 ha. the partially complete structure under construction shall be complete, only as per the land-use plan the land-use plan submitted, from the eco-friendly materials only.


Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P)



## **UNDERTAKING XII**


In reference to the directions given in **Paragraph vii** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake the diverted forest land shall be used to promote the tourism industry with recreational facilities for the preservation of the rich culture and tradition of the district. Therefore, the role of Tai Khampti Heritage Society will be the management and maintenance of the infrastructure created within the Golden Pagoda while preserving the old traditions and culture. The user agency shall enter a "Memorandum of Understanding (MoU)" followed by "Lease Agreement" with the Tai Khampti Heritage Society with its Head Quarter at Chowkham for the establishment and maintenance of Golden Pagoda on a long-term basis after approval of Stage-II forest clearance, i.e., on approval of diversion of 19.52 ha. of forest land under section 2(i) of the Van Sanrakshan Evam Samvardhan) Adhiniyam, 1980, in favour of District Administration, Namsai, Govt. of Arunachal Pradesh. The Memorandum of Understanding (MoU) & lease agreement shall not confer ownership of Tai Khampti Heritage Society. The legal status of the land shall remain unchanged.

  
Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh  
Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



### **UNDERTAKING XIII**

In reference to the directions given in **Paragraph viii** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake the State Government represented by User Agency shall ensure the compliance of the all-relevant court order in this matter.

  
Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh  
Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



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Armed - X

**GOVT. OF ARUNACHAL PRADESH**  
**OFFICE OF THE CHIEF CONSERVATOR OF FORESTS**  
**EASTERN ARUNACHAL CIRCLE: TEZU**  
[easternccf@gmail.com](mailto:easternccf@gmail.com)

No. EAC/CONS-9/Pt-II/2024 / 2303-05-

Dt. 29<sup>th</sup> July, 2024

To,

The APCCF & NO (FCA),  
Govt. of Arunachal Pradesh,  
Itanagar.



Sub: AIP granted for diversion of 19.52 Ha for Golden Pagoda at Namsai  
Ref: FOR.14/Cons/2020/2456-58 dt. 25.4.2024  
FOR.14/Cons/2020/18-20 dt. 5.1.2024  
EAC/Cons-68/2018(Pt-IV)/1851-54 dt. 2.7.2024

Sir,

Please refer your above cited letter dt. 25.4.2024 where this office has been asked to take necessary action on the stipulated condition No. 2(ix) of the IPA letter No.11/113/2022-FC-Part(i) dt. 15.5.2024 of Ministry and to furnish action taken report for onward submission to MoEF & CC, RO, Shillong.

The said condition No. 2(ix) of the IPA letter No.11/113/2022-FC-Part(i) dt., 15.5.2024 of the Ministry reads as under:

*"The State Government or Regional Officer Shillong shall take action under section 3A/3B of the Adhiniyam, 1980 and a report will be submitted to the Ministry at the time of submission of compliance of Stage-I. The Regional office shall further pursue the progress of the offences booked against the erring officers. Furthermore, the State Govt. shall take strict action against officials as per the report of the Committee as constituted vide letter dated 08.08.2023 in pursuance of the Hon'ble NGT dated 28.7.2023".*

In this connection, it is to bring to your kind notice that similar information had been asked by IRO Shillong from time to time which was replied by NO (FCA) Itanagar each time as shown below.

- (i) The IRO Guwahati in one of its clarifications vide SN (i) of letter F. No. 3 AN C 081/2022-GHY/1822-1823 dt. 12.1.2022 enquired "as per the submitted proposal the proposed area is already broken. State Govt to provide what action has been taken by the State government in case of encroachment and whether it is a case of violation of F (C) Act, 1980 under 3 A or 3 B? If violation under 3B of FCA 1980 names of the officials responsible for the violation and detail action taken report".

The PCCF & NO (FCA) submitted its reply to the same vide No. For.14/cons/2020/1892-95 dt. 20.5.2022 along with Annexure I submitted by the UA.

- (ii) The IRO Guwahati vide SN (i) of letter F. No. 3 AN C 081/2022-GHY/2584-2585 dt. 22.6.2022 again enquired "what action has been taken by the State Forest Department



*under the F (C) Act, 1980, Hon'ble Supreme Court order 1996 (Godhavarman case). State Government to furnish the detail action taken report in the chronological order of the events".*

The APCCF & NO (FCA) submitted reply vide No. For.14/cons/2020/2434-37 dt. 26.4.2023 informing action taken in chronological order of the events.

- (iii) The IRO Guwahati vide SN (1) of letter F. No. 3 AN C 081/2022-GHY/3954-55 dt. 16.5.2023 enquired *"to clarify the delay in detection of offence by the State Forest Department and the action initiated against the Forest Department officials for the lapse"*

The APCCF & NO (FCA), while enclosing Chief Conservator of Forests, Tezu letter No. EAC/ Cons-9/2020/1597-99 dt. 11.6.2023, submitted reply vide No. For.14/Cons/2020/ 4277-80 dt. 26.7.2023 informing that there was no delay in detection as the O/Rs dt. 10.2.2005 and dt. 19.4.2018 were drawn by concerned ROs at the time of occurrence of offence which was forwarded by concerned DFO to court for trial within reasonable time. The delay was due to the order dt. 29.3.2018 of Executive Magistrate informing that he was no longer empowered to take up trial cases and another case with CJM vide order dt. 29.8.2017 (probably typing mistake 29.8.2018) which had asked for specific notification of the Govt to proceed with the case. The action taken of charge-sheeting the then DFO holding the charge of Namsai FD during that time from 21.3.2005 to 17.6.2010 was also informed.

- (iv) The IRO Guwahati vide SN (3) of letter F. No. 3 AN C 081/2022-GHY/4735-36 dt. 16.10.2023 enquired *"whether the local officers have reported the matter ongoing encroachment and violation of this scale by a single entity to any of the higher offices at CCF/ PCCF level"*.

The APCCF & NO (FCA) vide his No. For.14/cons/2020/6420-23 dt. 7.12.2023 informed it was not reported to higher offices at CCF/PCCF level since the offence report was forwarded to Executive Magistrate / Judicial Magistrate First Class, Namsai as per usual practice.

Further, it is to also reiterate that ADC Namsai had initially requested the DFO Namsai on 18.9.2007 for diversion of forest land for Buddha Temple in offline mode vide his letter dt. 18.9.2007. Further correspondence by DC/ DFO, if any, is not available in this office records after that. Later, the proposal for diversion of 19.52 Ha in Part I was submitted by Deputy Commissioner, Namsai vide his letter No. NLM – 136/2019-20/659 (A) dt. 4.9.2019. It was forwarded by DFO Namsai vide his No. AND/66/ 2019/ Tech/6327 dt. 29.1.2020 to Chief Conservator of Forests, Eastern Arunachal Circle, Tezu which, in turn, was forwarded by CCF Tezu with Part III to PCCF & NO (FCA) vide No. EAC/Cons-9/2020/477-78 dt. 25.2.2020. The proposal was ultimately forwarded by PCCF & NO (FCA) to IRO Shillong vide No. For.14/Cons/2020/5354-57 dt. 27.12.2021.

Since no formal proposal had been submitted by UA before 2019 and construction on occupied/ encroached forest land was done without FC, so the present case of violation



comes under 1.16 Ex-post facto approval and penal provisions under Van (Sanrakshan Evam Samvardhan) Adhiniyam. The said 1.16 (i) (a) and (i) (b) is reproduced as below:

**1.16 Ex-post Facto approval and Penal Provisions:** *Proposals seeking ex-post-facto approval of the Central Government under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 are normally not to be entertained. The Central Government will not accord approval under the Act unless under exceptional circumstances that may justify the case. In such cases the Central Government shall ensure penalty from user agencies/ State as follows.*

**(i) In cases where the proposal under the Van (Sanrakshan Evam Samvardhan) Adhiniyam has not been submitted and forest land is diverted without FC**

*(a) The diversion of forest land for non-forestry purposes without the prior approval of the competent authority in the State will be dealt under the provisions of Indian Forest Act, 1927 and other State Acts dealing with the conservation of forests by the State Government concerned. The land in question will not be considered as diverted under FCA 1980 and the status of the land shall continue to be forest.*

*(b) If the permission for use of forest land for non-forestry purposes have been granted by the State authority without the prior approval of the central government under section 2 of the Forest Conservation Act, 1980 then action under section 3A and/ or 3B of FC Act, as may be applicable, shall be taken against the authority causing the diversion. A report with full details of violation shall be submitted by the State Government on the recommendation of the Forest Department of the State to the Ministry of Environment, Forest and Climate Change, Govt of India, New Delhi and formal enquiry shall be conducted by the Regional Office of the MoEF&CC.*

The act of drawing offence reports under the provisions of Indian Forest Act, 1927 and other State Acts as per 1.16 (i) (a) by the concerned ROs during 2005 and 2018 has been submitted/ proved by the DFO Namsai with copies of O/Rs with the proposal. The SN 10 of the format for submission of violation report submitted by DFO Namsai also clearly mentioned that no official was involved in abetment and offence report was drawn promptly by RFO and same was duly forwarded by DFO to Magistrate for trial (copy enclosed).

Since no permission had been granted by State FD without prior approval of the Central Government so the present case comes under 1.16 (i) (a) and not under 1.16 (i) (b) and no action under section 3A and/ or 3B of Van (Sanrakshan Evam Samvardhan) Adhiniyam is applicable as per my understanding, as far as forest department officials are concerned but may come under 3B (1) (a) for offence by any department of Government in 2009 (Tourism) and 2018 (RWD road) and 2020.

The present case also comes under the clause where the proposal under the Van (Sanrakshan Evam Samvardhan) Adhiniyam has not been submitted (submitted in 2019) and forest land was encroached and constructed upon without FC (in 2005 as per offence report).



The present case, cannot obviously, come under Rule 1.16 (ii) for proposal under consideration and forest land diverted before grant of FC or under 1.16 (iii) for violation/non-compliance of any conditions imposed while granting approval or 1.16 (iv) for violation on account of change of land use but may, perhaps, come under 1.16 (v) where violation is not attributable to the UA since it may be a late entrant to the proposal.

The Section 3A and 3 B of the Adhiniyam, 1980 reads as under:

**3A. Penalty for contravention –**

*Whoever contravenes or abets the contravention of any of the provisions of section 2, shall be punishable with simple imprisonment for a period, which may extend to fifteen days.*

**3B. Offences by the Authorities and Government Departments –**

*(1) Where any offence under this Act has been committed –*

*(a) By any department of Government, the head of the department, or*

*(b) by any authority, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the authority for the conduct of the business of the authority as well as the authority;*

*shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:*

*Provided that nothing contained in this sub-section shall render the head of the department or any person referred to in clause (b), liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.*

*(2) Notwithstanding anything contained in sub-section (1), where an offence punishable under the Act has been committed by a department of the Government or any authority referred to in clause (b) of sub-section (1) and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of the officer, other than the head of the department, or in the case of an authority, any person other than the persons referred to in clause (b) of sub-section (1), such officer or persons shall also be deemed to be guilty of that offence and shall be liable to be prosecuted against and punished accordingly.*

As per this office records, the area was cleared by one Shri Shiv Shankar Dutta, in 2005 who had been engaged by people of Theravada sect for construction of Buddha temple. An offence report dt. 10.2.2005 for encroachment in RF was filed under section 25 (d) of AFR Act, 1891 by the then concerned RO which was forwarded by the then DFO to magistrate for trial. The construction of such Buddha temple, however, perhaps continued after 2005-06 when ADC Namsai, through a letter dt. 18.9.2007, requested DFO Namsai for diversion of land for Buddha temple. No further correspondence after 2007 between DFO and ADC Namsai is available in this office records but the construction of Buddha temple complex perhaps still continued from 2005 to 2010 as Google **Wikipedia shows Temple complex of 20 Ha opened in 2010**. The then DFO Namsai from 2005 to 2010 was charge-sheeted and a

departmental enquiry was instituted as per rules and further action against any other Forest Department officials does not appear to have been taken as per this office records.

From above, it will be clear that the initial encroachment/ construction, at least till 2009, was done by private persons and not by any department of the government or authority so section 3A or 3B against any department or authority was perhaps not invoked. However, ~~the~~ for the works sanctioned in 2009, 2016, 2018 and 2020 by HoDs of Tourism, RWD and PWD will need to be prosecuted under 3B (1) while the works of 2021 and 2022 were anyway stopped, but offence report against Executive Engineer had been filed in 2018 under relevant sections of IFA and other State laws for road construction.

Now it may not be possible to find out officers/ persons responsible for violation of FCA, 1980 in 2005 (first encroachment of 19.5 Ha) till 2010 (when temple complex of 20 Ha opened up as per Wikipedia) or thereafter till 2018 (when road construction was done in the already encroached area) or till 2019 (when FCA proposal for 19.5 Ha submitted by DC Namsai), so kindly guide and advise to:

- (a) find out names of persons/ officials of Theravada sect who had engaged Shri Shiv Shankar Dutta, in 2005 for construction of Buddha temple till around 2009-10 when temple opened up.
- (b) find out names of officials who had constructed the Buddha temple complex somewhere between 2005 and 2010 when it was opened to public as per Wikipedia.
- (c) find out names of officials of UA/Tourism Deptt/ PWD/RWD who had authorized for Buddha temple complex from around 2010 to 2018-19.

Further, a detailed report as asked from this office has been submitted vide No. EAC/ Cons-359/2023/3150-53 dt. 2.11.2023 to the Committee constituted by PCCF Itanagar vide letter dt. 8.8.2023 in pursuance to Hon'ble NGT order dt. 28.7.2023 and in view of above deliberations, my report highlighting the sequence of events is also enclosed for necessary action please.

**Enclosures:**

1. Violation report in format submitted by DFO Namsai
2. Report in terms of condition No. 2(ix)

Yours Faithfully

(TARUN JOHRI), IFS  
Chief Conservator of Forests,  
Eastern Arunachal Circle: Tezu

Copy to

1. The DFO Namsai for information and necessary action. He is directed to submit the names of HoDs/ Officers directly in-charge of work of Tourism/ PWD/ RWD as per sanction orders of 2009, 2016, 2018 (road construction), 2020 etc.
2. The PCCF, Itanagar for information.

Chief Conservator of Forests,  
Eastern Arunachal Circle: Tezu



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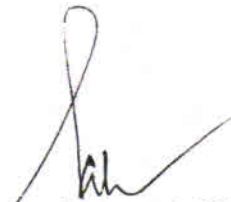
**FORMAT FOR SUBMISSION OF REPORT FOR ALLEGED  
VIOLATION OF FCA ACT' 1980**

1.	Name of Offence	:-	Encroachment
2.	Location of site (Division, District, Range, Block, Compartment No., Name of PF/RF etc.with details of Gazette notification regarding PF/RF etc.)	:-	Division - Namsai Forest Division, District - Namsai district, Range - Manabhum Forest Range, Block - Lathao Compartment No. - 66 & 67, Name of RF - Manabhum Reserve Forest
3.	Area (affected under violation, photograph, video etc.)	:-	19.52 Hect.
4.	Number, Species and details of trees felled, out turn, value etc.	:-	NIL, as also mentioned in diversion proposal (to be referred)
5.	Date of detection of offence	:-	10.02.2005
6.	Action taken under IFA/Local Forest Act/POR/FIR	:-	Offence Report and forwarding of letter to Magistrate
7.	State Local Act.Rule Violation	:-	Section 25 (d) of AFR Act, 1891
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	:-	No authority had given order for encroachment & violation in 2005. This was done by Shri Shiv Shankar Dutta who was found on the spot & who had been engaged by the people of Theravada sect for construction of the temple. However, later a pucca road was constructed by PWD in 2018 up to the temple for which 2 <sup>nd</sup> offence report No.No. MBR/01/2018-19 dated 19.04.2018 was again drawn by RFO, Manabhum against EE, PWD, Namsai within the already encroached area of 19.52 hect.
9.	Whether violation is still continuing	:-	Yes, the temple is existing and temple is a famous tourist destination.
10.	Official responsible for abetment of violation, provide complete details.	:-	No official was involved in abetment, and as Offence was drawn promptly by RFO and same was duly forwarded by DFO to Magistrate
11.	Toposheet of survey of India Map of the site with relevant details (either coloured photograph or on a tracing paper)	:-	Attached





The first Offence Report MBR/01 of 2004-05 dtd. 10.02.2005 under section 25 of Assam Forest Regulation Act against Shri Shiv Shankar Dutta was drawn by RFO, Manabhum is concerning Golden Pagoda comprising of 19.52 Ha. The chronological sequence of events since 2005 had already been mentioned vide this Office letter No. AND/66/2019/Tech/14138 dtd. 08.12.2022 and also correctly mentioned in NO, FCA's letter No. FOR.14/CONS/2020/2434-37 dtd. 26.04.2023.



Divisional Forest Officer  
Namsai Forest Division  
Namsai

### DETAILS OF THE CASE

While carrying out patrolling in Manabhum Reserve Forest near Tengapani Area in compartment No. 66 & 67, it was found that some labourers duly engaged by one Shri Shiv Shankar Dutta were clearing the area for renovation of old Buddhist temple. The works were immediately stopped.

On enquiry, Shri Shiv Shankar Dutta revealed that he has engaged the labourers on behalf of Tai Khamti Heritage Society and that the area is very sacred and of utmost religious importance to Tai Khamti Society as per the prediction of Buddhist monk of very high order.

Accordingly, Offence Report was drawn vide O.R. No. MBR/01 of 2004-05 dtd. 10.02.2005 and was forwarded to Divisional Forest Officer, Namsai Forest Division, Namsai.

The Divisional Forest Officer, Namsai vide his letter No. AND/16/2001/3478-79 dtd. 23.03.2005 forwarded the offence report to Addl. Deputy Commissioner cum Magistrate, Namsai for prosecution.

In view of total encroached area of 19.52 Ha. together with it entire complex the following is proposed.

Vide letter No. FOR.14/Cons/2020/5354-57 dtd. 22.12.2021 at  
SN 4 – Density = 0.1

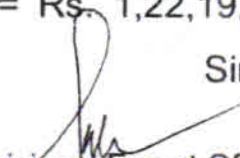
SN 5 – NPV – 19.52 Ha. X 6.26 lakh/Ha. = Rs. 1,22,19,520/-

5 times = Rs. 1,22,19,520/- x 5 = Rs. 6,10,97,600/-

In terms of 2 (b) it is 20% of the amount calculated,

Therefore, - Rs. 6,10,97,600/- x 20% = Rs. 1,22,19,520/- + 12%

Simple interest

  
Divisional Forest Officer  
Namsai Forest Division  
Namsai



**REPORT IN TERMS OF CONDITION No. 2(IX) OF THE IPA LETTER**  
**NO.11/113/2022-FC-Part(i) dt. 15.5.2024 OF THE MINISTRY**

The condition No. 2(ix) of the IPA letter No.11/113/2022-FC-Part(i) dt. 15.5.2024 of the Ministry has asked the following information which is being broken into following three components for the sake of clarity.

- a) *"The State Government or Regional Officer Shillong shall take action under section 3A/3B of the Adhiniyam, 1980 and a report will be submitted to the Ministry at the time of submission of compliance of Stage-I.*
- b) *The Regional office shall further pursue the progress of the offences booked against the erring officers.*
- c) *Furthermore, the State Govt. shall take strict action against officials as per the report of the Committee as constituted vide letter dated 08.08.2023 in pursuance of the Hon'ble NGT dated 28.7.2023".*

The report in terms with above three components is given below:

- (a) The State Government or Regional Officer Shillong shall take action under section 3A/ 3B of the Adhiniyam, 1980 and a report will be submitted to the Ministry at the time of submission of compliance of Stage-I.
- (i) The area of 19.5 Ha/ 20 Ha was cleared by one Shri Shiv Shankar Dutta, in 2005 who had been engaged by people of Theravada sect to build a Buddha temple. An offence report dt. 10.2.2005 for encroachment in RF was filed under section 25 (d) of AFR Act, 1891 against a private person by the then concerned RO which was forwarded by the then DFO to magistrate for trial.
- (ii) But the construction of such Buddha temple perhaps continued after 2005-06 by the offender when ADC Namsai through a letter dt. 18.9.2007 forwarded an application of a spiritual leader to DFO Namsai requesting for allowing puja in Buddha temple.
- (iii) The constructions in the temple complex continued from 2005 and completed in 2010 which is evident from the fact on Google Wikipedia which shows that the Golden Pagoda Temple opened to public in 2010.
- (iv) Further constructions for the temple complex in the encroached area where O/R had already been drawn also perhaps continued and completed from 2010 to 2017-18 with little or no resistance from forest Department except for the O/R of 2005 and a road was also constructed in the temple complex in 2018 for which another O/R dt. 19.4.2018 was drawn by the Forest Department against PWD.
- (v) Much later, the proposal for diversion of 19.52 Ha in Part I was submitted by Deputy Commissioner, Namsai vide his letter No. NLM – 136/2019-20/659 (A) dt. 4.9.2019 where the breakup of all structures like monks quarters, vipasna, eco huts etc with their respective areas was mentioned which proves that these were already constructed before 2019 before submission of actual FCA proposal in 2019 by DC and thus it is a violation under 1.16 (i) (a).



- (vi) It had been clarified earlier that there was no delay in detection as the O/Rs dt. 10.2.2005 and dt. 19.4.2018 were drawn by concerned ROs at the time of occurrence of offence which was forwarded by concerned DFO to court for trial. The delay was perhaps due to the order dt. 29.8.2017 of CJM which had asked for a specific notification of the Govt to proceed with case and letter dt. 29.3.2018 of Executive Magistrate informing being no longer empowered to take up trial cases.
- (vii) As regards action initiated against Forest Department officials for any lapse, it had been clarified vide this office earlier letter No. No. EAC/Cons-9/2020/1597-99 dt. 11.6.2023 that a committee under the chairmanship of CF (Monitoring & Evaluation), O/o PCCF Itanagar was constituted by APCCF (RE) vide No. FOR.352/PRO/2012/ 15590-96 dt 16.6.2015 to examine the matter of large-scale encroachment/ deforestation in Manabhum RF/ Namsai Division and to find out names of officials in whose tenure illegalities had taken place. As per oblique reference found in file, the committee had submitted its report to APCCF (RE) on 8.9.2015.
- (viii) Further, it was also informed that another Committee under the chairmanship of PCCF (P&D) was again constituted by PCCF & Prl.Secy (E&F) vide No. FOR.352/PRO/2012/10,238-41 dt 10.5.2016 to examine large scale encroachment in Manabhum RF. The chairman of the committee submitted its report to PCCF & Prl.Secy (E&F) on 30.8.2016. Although, no charge sheet is available in this office records, but as per letter No. FOR/CC-1/07/2018/834 dt. 21.5.2018, Shri T. Pertin, the then DFO Namsai was charge sheeted in the matter of large-scale encroachment in Namsai Forest Division.
- (ix) Since the then DFO Namsai was charge-sheeted and a departmental enquiry was instituted as per rules so no further action appears to have been taken.
- (x) In view of above, as per this office records, no action seems to have been taken against private person, Shri Shiv Shankar Dutta, except filing of O/R dt. 10.2.2005 and no action seems to have been taken against govt department/ agency/ Tourism/ RWD/ PWD except filing of O/R dt. 19.4.2018 while the then DFO Namsai from 2005 to 2010 was charge sheeted by PCCF.

**(b) The Regional office shall further pursue the progress of the offences booked against the erring officers.**

- (i) As per reports submitted by DFO Namsai, the offence report dt. 10.2.2005 was drawn against Shri Shiv Shankar Dutta who was found on the spot in Golden Pagoda area in 2005 by forest officials and who had cleared the area. The said O/R dt. 10.2.2005 against the private person was forwarded by DFO Namsai to ADC Namsai for trial/ prosecution vide No. AND/16/2001/3478-79 dt. 23.3.2005.
- (ii) Much later, another O/R dt. 19.4.2018, was again drawn against Executive Engineer PWD when a construction of pucca road was again detected within the same area of 19.5 Ha which was forwarded by DFO Namsai to Court for trial.
- (iii) In view of above, it is established that the offence of encroachment had initially been done in 2005 and construction of road in the already encroached area in 2018 as per offence reports submitted in Court by the DFO Namsai. So, the matter is



perhaps still subjudice as per law but with creation of Namsai District in 2014 the chances of the O/Rs being still traceable is bleak. Moreover, 3B (1) (b) also states **“every person who, at the time the offence was committed”** so the chances of the person of that Govt Deptt/ HoD at the time of commission of offence in 2009, 2016, 2018, 2020 etc being still alive/ in service are less but DFO Namsai should identify such persons of Tourism/ RWD/ PWD and take action against them.

- (iv) A sequence of events is also being given below to identify every person who were there at the time of the offence was committed.

**Table 1: Sequence of events leading to construction of Golden Pagoda complex**

SN	Time Zone	Particulars
1	2005	An encroachment of 19.5 Ha in Manabhum area was detected on <b>10.2.2005</b> and O/R No. MBR/01 of 2004-05 dt. 10.2.2005 was drawn against Shri Shiv Shankar Dutta, in 2005 stated to who have been engaged by people of Theravada sect for construction of Buddha temple.
2	2005	The said offence report dt. 10.2.2005 filed under section 25 (d) of AFR Act, 1891 was forwarded by DFO Namsai to ADC Namsai for trial/ prosecution vide No. AND/16/2001/3478-79 dt. 23.3.2005. But probably it was neither pursued nor efforts made to stop construction and/ or to maintain status quo by the department.
3	2005-07	No action by ADC/ DFO for at least next 2 years from 2005 till 2007 but temple perhaps under construction with little or no resistance from forest department to stop construction.
4	2007-09	ADC Namsai first offline letter dt. 18.9.2007 to DFO Namsai forwarding letter dt. 14.9.2007 of spiritual priest requesting to allow worship rituals/ Pooja by Tai-Khamti community so obviously construction of temple complex had continued and was completed. No further correspondence by DFO/ ADC.
5	2010	<b>Temple complex of 20 Ha opened in 2010 as per Google Wikipedia and so construction of Temple complex was obviously completed</b>
6	2011-14	Temple complex/ monks quarters/ eco huts etc perhaps continued to be constructed and Namsai became a district in <b>2014</b> . No action by SFD till 2014 except O/R of 2005.
7	2015-18	Road constructed by PWD in <b>2018</b> within the 20 Ha/ 19.5 Ha encroached area and another O/R No. MBR/01 of 2017-18 dt. 19.4.2018 was drawn by RO Manabhum which was sent by DFO to CJM. The Temple complex/ monks quarters/ eco huts etc perhaps completed but no action by SFD till 2018-19 except O/R of 2018.
8	2018	Meanwhile Executive Magistrate order dt. 29.3.2018 informing of being no longer empowered and CJM order dt. 29.8.2017 ( <b>perhaps 2018</b> ) asking for notification. Construction perhaps completed, no action from 2018 till 2019.
9	2019	DC submitted formal Part I for diversion of 19.5 Ha to DFO Namsai on <b>4.9.2019</b> .
10	2020	DFO forwarded the proposal for 8 types of constructions in Part II to CCF with Part II on <b>29.1.2020</b> , CCF forwarded with Part III to PCCF

		& NO on <b>25.2.2020</b>
11	2021-23 Proposal under process at various stages	<b>After a gap of 2 years</b> , PCCF & NO forwarded the proposal to IRO on <b>27.12.2021</b> .
12		IRO letter dt. <b>12.1.2022</b> asked for 17 clarifications and asked if violation in 3A or 3B and for corrected Part III.
13		The corrected Part III was submitted by CCF on 2.4.2022 informing the violation and the already constructed structures as fate accomplished and the NO submitted on Parivesh on 20.5.2022.
14		IRO letter dt. 22.6.2022 asking action taken by SFD in chronology on violation
15		After a gap of 6 months, DFO Namsai letter dt. 8.12.2022 & 19.1.2023 giving chronology
16		NO letter dt. 26.4.2023 to IRO giving <b>chronology</b> that O/R in 2005 forwarded to ADC/ executive magistrate, no record/ communication between 2005-2014, Namsai District creation in 2014; letter of 2018 from CO/ executive magistrate stating no longer empowered, another O/R of 2018 drawn against PWD for road forwarded to CJM, order dt. 2017/2018 from CJM asking for specific notification and no communication after 2018/2019 – 2022 etc
17		CCF Tezu letter dt. 11.6.2023 informing actions taken by constitution of Committees in 2015 and 2016 and charge sheet of then DFO
18		NO letter dt. 26.7.2023 informed IRO that DFO of 2005-2010 had been charge sheeted on 12.8.2018
19		IRO letter dt. 16.10.2023 asked about inescapability of area
20		CCF letter dt. 29.11.2023 forwarding DFO/ DC reply on inescapability and about the PCCF <b>constituted Committee</b> vide OM For/CC-1/07/2018/1455-1458 dt <b>8.8.2023</b> to examine actions to be taken for encroachment in RFs of Namsai
21	2024	AIP granted by MoEF&CC, GoI on 15.5.2024

- (v) However, the O/R dt. 19.4.2018 of 2018 against PWD for construction of road and O/R dt. 10.2.2005 against Shri Shiv Shankar Dutta also needs to be pursued in court for which the DFO Namsai is being directed.
- (vi) Similarly, the three time zones can be defined for the officials of the Forest Department most of whom also share the same fate of either not being alive or superannuated as shown below.

**Table 2: Three Time Zones of SFD**

<b>2005-10</b>	First time encroachment over 20 Ha for Budha temple complex and constructions started	T Pertin	21.3.2005	17.6.2010	Now CF (already charge sheeted by PCCF)
<b>2011-15</b>	Construction of temple completed and temple opened	Aduk Paron	18.6.2010	13.2.2012	Now IFS
		CK Namsom	13.2.2012	9.7.2013	expired
		Rini Riba	10.7.2013	8.1.2017	superannuated
<b>2016-19</b>	Road construction done and temple complex constructions completed	Tashi Mize	9.1.2017	30.4.2019	superannuated
		Tabang Jamoh	1.5.2019	Till date	Present incumbent



( c ) Furthermore, the State Govt. shall take strict action against officials as per the report of the Committee as constituted vide letter dated 08.08.2023 in pursuance of the Hon'ble NGT dated 28.7.2023.

- (i) As regards, the Committee as constituted by PCCF Itanagar vide letter dated 08.08.2023 in pursuance of the Hon'ble NGT order dated 28.7.2023, it is to mention that a detailed report running into 13 pages with 7 pages enclosure has been submitted to the Chairman of the Committee vide this office letter No. EAC/Cons-359/2023/3150-53 dt. 2.11.2023 highlighting the sequence of events, the timelines and the names of DFOs/ CFs/ CCFs etc at that time when the events took place.
- (ii) It is not known to this office if the said Committee has since submitted its report to PCCF & HoFF.
- (iii) Kindly advise next course of action required to be taken from this office as per names and periods of officers mentioned in the report submitted vide No. EAC/Cons-359/2023/3150-53 dt. 2.11.2023.

As per SN 2,3,4,6 and 7 in Table 1 and the chronology mentioned above, the lack of action and/ or inaction by UA/ RWD/ PWD/ Tourism and FD is evident during following periods.

**Table 3: Excerpts from Table 1**

SN	Time Zone	Particulars
2	2005	The said offence report dt. 10.2.2005 filed under section 25 (d) of AFR Act, 1891 was forwarded by DFO Namsai to ADC Namsai for trial/ prosecution vide No. AND/16/2001/3478-79 dt. 23.3.2005. But probably it was neither pursued nor efforts made by DFO Namsai/ concerned Ros to stop construction and/ or maintain status quo.
3	2005-07	No action by ADC/ DFO for at least 2 years from 2005 till 2007 but temple perhaps under construction. No action to stop construction.
4	2007-09	ADC Namsai first offline letter dt. 18.9.2007 to DFO Namsai forwarding letter dt. 14.9.2007 of spiritual priest requesting to allow worship rituals/ Pooja by Tai-Khamti community so obviously construction of temple complex had continued and was completed. No further correspondence by DFO/ ADC.
6	2011-14	Temple complex/ monks quarters/ eco huts etc perhaps continued to be constructed and Namsai became a district in 2014. No action by SFD till 2014 except O/R of 2005.
7	2015-18	Road constructed by PWD in 2018 within the 20 Ha/ 19.5 Ha encroached area and another O/R No. MBR/01 of 2017-18 dt. 19.4.2018 was drawn by RO Manabhum which was sent by DFO to CJM. The Temple complex/ monks quarters/ eco huts etc perhaps completed but no action by SFD till 2018-19 except O/R of 2018.
9	2019	DC submitted formal Part I for diversion of 19.5 Ha to DFO Namsai on 4.9.2019.

In this connection, the DC Namsai/ UA letter No. NLM-136/2019-20/8260-62 dt. 24.11.2023 may be referred which had been forwarded by NO (FCA) Itanagar to IRO Gauhati vide No. For.14/Cons/2020/6420-23 dt. 7.12.2023 wherein the detailed project report on Golden Pagoda with photographs of existing facilities consisting of P-1 to P-15 had been submitted by DC Namsai duly signed, besides others. The funding by State govt had also been enclosed by him showing the following.

**Table 4: Sanction order dates**


SN	sanction order dt.	Amount (lacs)	Status/Agency
1	19.6.2009	Rs.469.26	Tourism
2	27.3.2016	Rs. 170	RWD
3	23.3.2020	Rs.950 lacs	RWD
4	20.8.2021	Rs. 100	Stopped
	30.11.2021	Rs. 300	
5	18.3.2022	Rs. 100	Stopped

From the above tables, it is clear that constructions in Golden Pagoda started around 2005 and completed in 2010 and the govt also funded some projects after 2009 through Tourism/ RWD/ PWD. The DFO Namsai vide SN 1 of his letter No. AND/66/2019/Tech/9289 dt. 25.11.2023 has said that these were not reported by DFO to higher offices at CCF/ PCCF level. On enquiry by IRO Guwahati vide letter F. No. 3 AN C 081/2022-GHY/4735-36 dt. 16.10.2023 whether the local officers have reported the matter ongoing encroachment and violation of this scale by a single entity to any of the higher offices at CCF/ PCCF level, the APCCF & NO (FCA) vide his No. For.14/Cons/2020/6420-23 dt. 7.12.2023 has also informed IRO that it was not reported to higher offices at CCF/ PCCF level. Thus, following inference can be deduced.

- (i) Since disciplinary action against then DFO Namsai from 2005 to 2010 had already been initiated by PCCF so no further action was taken against forest department officials.
- (ii) The proposal for diversion of 19.52 Ha in Part I was submitted by Deputy Commissioner, Namsai vide his letter No. NLM – 136/2019-20/659 (A) dt. 4.9.2019 but the matter of encroachment was hidden when DFO Namsai while forwarding the proposal first time vide No. No. AND/66/ 2019/ Tech/6327 dt. 29.1.2020 at SN 9 of Part II mentioned “no violation” which was forwarded by PCCF & NO (FCA) to IRO Shillong also mentioning no violation at SN of 14 of letter No. For.14/ Cons/2020/5354-57 dt. 27.12.2021.
- (iii) The violation was first time reported by CCF vide No. EAC/Cons-9/2020/1207-08 dt. 2.4.2022 and so the last two works at SN 4 and 5 got stopped.
- (iv) The NO (FCA) vide his letter No. For.14/Cons/2020/1892-95 dt. 20.5.2022 addressed to IRO informed the component wise constructed break-up of area while DFO again informed the same vide No. AND/66/2019/Tech/9289 dt. 25.11.2023 which shows that component wise construction was done/ completed before 2020.



- (v) Though Golden Pagoda falls under Manabhum Range but it is in very close proximity to other Range Offices also and the chances of construction activity from 2005 to 2010 and thereafter from 2011 to 2018-20 going un-noticed is bleak.
- (vi) The incumbency chart of RO Manabhum (about 20 km away), RO Tengapani (about 100 meters away) and RO Chowkham (about 15 km away) from the site is appended with report for perusal and suitable decision.
- (vii) The matter of ongoing encroachment and violation of this scale was not reported by DFO/ ROs to higher offices at CCF/ PCCF level as per SN 1 of DFO Namsai letter No. AND/66/2019/Tech/9289 dt. 25.11.2023 and APCCF & NO (FCA) vide his No. For.14/Cons/2020/6420-23 dt. 7.12.2023.
- (viii) Since no proposal had been submitted by UA before 2019 and construction on occupied/ encroached forest land was done without FC, so the present case of violation comes under 1.16 (i) (a).
- (ix) Since no permission had been granted by State Forest Department without prior approval of the Central Government so the present case will not come under 1.16 (i) (b) therefore no action under section 3A and/ or 3B of Van (Sanrakshan Evam Samvardhan) Adhiniyam can be invoked against forest officials of Namsai FD.
- (x) The works sanctioned in 2009, 2016, 2018 (road) and 2020 by HoDs of RWD and PWD will need to be prosecuted under 3B while the works of 2021 and 2022 stopped when they came into knowledge of FD.
- (xi) The O/R dt. 10.2.2005 against Shri Shiv Shankar Dutta and O/R dt. 19.4.2018 of 2018 against PWD for construction of road will be pursued in court by DFO Namsai.
- (xii) Strict action will be taken by State Govt against officials found responsible as per Committee report constituted by PCCF Itanagar vide letter dated 08.08.2023.

  
Chief Conservator of Forests,  
Eastern Arunachal Circle: Tezu



# LATHAO FOREST RANGE

SN	NAME OF OFFICERS	PERIOD	
		FROM	TO
1.	Shri. Regon First Beat Officer	1979	1981
2.	Shri. M. Ahamad, Dy. FR	1981	1985
3.	Shri. B. Das, FR	1986	1987
4.	Shri. A. C. Phukon, FR	1988	1990
5.	Shri. J. N. Chetia, FR	1991	1994
6.	Shri. N. Guhai, FR	1995	1996
7.	Shri. D. Doke, FR	1997	2002
8.	Shri. N. Guhai, FR	2003	2005
9.	Shri. N. Game, FR	May/2005	2006
10.	Shri. S. Singh, FR	2006	13/06/2008 (from 13/06/2008 for temporary charge Shri. T. Kamshi for 3 months)
11.	Shri. S. Singh, FR	2008	2011
12.	Shri. R. C. Deori, FR	2012	
13.	Shri. B. D. Deori, FR	2013	
14.	Shri. Nobin Guhai, FR	2014	2015
15.	Shri. B. Chaitom, FR	2016	2020
16.	Shri. Hage Tari, FR	2020	2024
17.	Shri. Ram Ering, FR	21/05/2024	Till Date



# INCUMBENCY OF



## RANGE FOREST OFFICER TENGAPANI FOREST RANGE

SL No	Name of Officer	PERIOD	
		FROM	TO
1	Shri S. B. Gohain, Dy. FR. i/c	01/01/1982 (F/N)	28/03/1982(F/N)
2	" J. N. Chetia, FR	28/03/1982 "	25/03/1983 "
3	" A. K. Bhattacharjee, FR. i/c	25/03/1983 "	03/06/1983 "
4	" J. N. Chetia, FR	03/06/1983 "	31/08/1983 (A/N)
5	" T. Bui, FR	31/08/1983 (A/N)	28/10/1983 "
6	" K. K. Deb, FR	28/10/1983 "	18/06/1984 (F/N)
7	" B. Das, FR	18/06/1984 (F/N)	20/06/1985 "
8	" D. N. Kakoti, Dy. FR i/c	20/06/1985 "	10/07/1985 (A/N)
9	" B. Das, FR	10/07/1985 (A/N)	31/12/1985 "
10	" Nani Sha, FR	31/12/1985 "	25/09/1987 (F/N)
11	" J. K. Saikia, FR	25/09/1987 (F/N)	30/09/1988 (A/N)
12	" T. Sira, FR	30/09/1988 (A/N)	07/02/1992 "
13	" T. Bui, FR	07/02/1992 "	26/10/1994 "
14	" B. Taba, FR	26/10/1994 "	26/10/1996 "
15	" H. Tadi, ACF	26/10/1996 "	09/12/1996 (F/N)
16	" T. Jamoh, FR	09/12/1996 (F/N)	31/07/1998 (A/N)
17	" A. Badu, Dy. FR i/c	31/07/1998 (A/N)	15/09/1998 (F/N)
18	" B. K. Das, FR	15/09/1998 (F/N)	01/11/2000 (A/N)
19	" T. Sira, FR	01/11/2000 (A/N)	13/01/2003 (F/N)
20	" G. C. Doley, FR	13/01/2003 (F/N)	13/12/2004 (A/N)
21	" S. Tsering, FR	13/12/2004 (A/N)	23/10/2008 "
22	" R. P. Singh, FR	23/10/2008 "	15/09/2013 (F/N)
23	" C. M. Manlung, Dy. FR i/c	16/09/2013 (F/N)	20/09/2013 "
24	" Alok Kumar, FR	20/09/2013 "	



# INCUMBENCY OF



## CHOWKHAM FOREST RANGE

SL. NO.	NAME OF OFFICERS	PERIOD	
		FROM	TO
1.	SHRI M.R. BHATTACHARJEE F.R.	01-11-1973	03-10-1975
2.	" P.K. DEV F.R.	04-10-75	16-03-80
3.	" A.K. GHOSH F.R.	17-03-80	16-12-81
4.	" A.K. DEY F.R.	17-12-81	27-12-81
5.	" ANUPAM ROY F.R.	28-12-81	02-07-84
6.	" K.K. DEY F.R.	03-07-84	08-05-87
7.	" M. DAS F.R.	09-05-87	25-05-87
8.	" K.K. DEY F.R.	26-05-87	26-08-87
9.	" N. SENGUPTA, Dy. F.R.	27-08-87	31-10-87
10.	" R. RIBA F.R.	01-11-87	24-01-89
11.	" M.C. DEY F.R.	25-01-89	21-11-90
12.	" A. ROY F.R.	22-11-90	22-07-91
13.	" P. BARUAH F.R.	23-11-91	20-10-92
14.	" S. TSERING F.R.	21-10-92	24-12-96
15.	" T.T. TAPPU F.R.	25-12-96	19-04-2000
16.	" T. KAMCHI F.R.	20-04-2000	27-09-2000
17.	" J. K. SAIKIA F.R.	28-09-2000	04-12-2000
18.	" T. KAMCHI F.R.	05-12-2000	15-01-2001
19.	" J. K. SAIKIA F.R.	16-01-2001	25-01-2002
21.	" T. SIRA F.R.	26-01-2002	20-02-2002
22.	" J. K. SAIKIA F.R.	21-02-2002	03-11-2003
23.	" D. DOKE F.R.	04-11-2003	29-12-2003
24.	" A. GUPTACHAUDHARY F.R.	30-12-2003	12-02-2004
25.	" D. DOKE F.R.	13-02-2004	20-03-2005
26.	" G.C. DOLEY F.R.	21-03-2005	03-07-2011
27.	" J.K. SAIKIA F.R.	04-07-2011	18-09-2011
28.	" A. JERANG F.R.	13-09-2011	15-07-2013
29.	" KETO BASAR F.R.	16-07-2013	13-07-2020
30.	" OBANG TAYENG F.R.	13-07-2020	06.03.2021
31.	" B. GAMLIN F.R.	06.03.2021	



**GOVERNMENT OF ARUNACHAL PRADESH  
OFFICE OF THE DIVISIONAL FOREST OFFICER  
NAMSAI FOREST DIVISION**

Memo No. AND/66/2019/Tech/ 2993-95

Dated Namsai the 3<sup>rd</sup> Dec' 2025

To,

The Chief Conservator of Forests,  
Eastern Arunachal Circle,  
Tezu.


**Sub: Proposal for regularization of encroachment and ex-post facto approval of the central govt. under section 2(i) of the Adhiniyam, 1980 in the favour of the District Administration, Namsai, Government of Arunachal Pradesh for Non-Forestry use of 19.52 ha of Namsai Land for establishment of Golden Pagoda at Namsai under Namsai Forest Division in Namsai District of Arunachal Pradesh (Proposal No. FP/AR/Others/154344/2022)-Reg.**

**REF:-No.EAC/CONS-09/Pt-11/2024/1871-72 dtd. Tezu 26/06/2025.**

Sir,


With reference to your letter no I am furnishing herewith the details for the matter as point wise as sought by the APCCF (CONS) & NO (FCA) Itanagar.

- 1) S.N 2(ii) (b)- C.A scheme on degraded forest land for four (4) times area of the land proposed for diversion as per guidelines 2023. 78.08 ha area is identified at Khamang RF and scheme has been submitted for approval.
- 2) S.N 2(ii) (d) - The compensatory afforestation on degraded Forest land, 4 times in extent to the Forest land being diverted i.e. 78.08 ha, shall be raised by the state Forest Department at the project cost within three years from the date of grant of stage-II approval. Final approval is awaited to carry out the compensatory afforestation as compensatory levies has been deposited by the user agency.
- 3) S.N 2(ii) (e) - 25% of CA cost towards soil and moisture conservation activities in the proposed CA area as per site requirement has been deposited by the user agency. The required activities will be carried out after the final approval.
- 4) S.N (xii) - All encroachment on the notified forest land shall be removed in a phased manner while following the extent rehabilitation and re-settlement policy. In this regard matter is in discussion with the higher authorities and placed in the state level for further course of action. In this regard an undertaking is submitted as annexure-1
- 5) S.N (xv) - The KML files of the diverted area, C.A area and the proposed SMC treatment area is uploaded on the e-green watch portal with all requisite details.

  
(T. JAMOH) APFS  
DIVISIONAL FOREST OFFICER  
NAMSAI FOREST DIVISION

Copy to:


1. The APCCF (CONS) and NO (FCA), Itanagar for the favour of his kind information please w.r.t FOR 14/CONS/2020/1647-49 Dtd 26/05/2025.
2. Office Copy.

  
(T. JAMOH) APFS  
DIVISIONAL FOREST OFFICER  
NAMSAI FOREST DIVISION



UNDERTAKING

On behalf of the Department of Environment, Forests and climate change, I hereby undertake that, it is ensured that all other encroachments on the notified forest land shall be removed in a phased manner while following the extent of rehabilitation and re-settlement policy and with the advice of the higher authorities, the matter shall be placed for early resolve to the Govt. of A.P.

  
(T. JAMOH) APFS  
DIVISIONAL FOREST OFFICER  
NAMSAI FOREST DIVISION





## **UNDERTAKING XIV**

In reference to the directions given in **Paragraph xi** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake no further diversion of forest for non-forestry activity will be sought at the site of Golden Pagoda project or nearby area in future.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District:: Namsai (A.P)



## **UNDERTAKING XV**

In reference to the directions given in **Paragraph xii** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake no further diversion of forest for non-site-specific purpose shall be considered in future for projects inside notified Forest area in Namsai District that find mention in the Hon'ble National Green Tribunal Original Application No.25/2023/EZ (I.A.NO.32/2023/EZ) Interim Order dated 16.03.2023 and Final Order dated 28.07.2023.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P)





## **UNDERTAKING XVI**

In reference to the directions given in **Paragraph xiii** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake the State Government represented by User Agency shall ensure that all other encroachments on the notified forest land shall be removed in a phased manner while following the extant Rehabilitation & Re-settlement policy. The proposal shall be submitted to the State Government to submit a plan progress report for the same at the time of seeking Stage-II approval.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



## **UNDERTAKING XVII**

In reference to the directions given in **Paragraph xiv** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake the State Government represented by User Agency shall ensure that that the Compensatory levies to be realized from the user agency under the project shall be transferred/deposited, through e-challan, into the account of CAMPA pertaining to the State concerned through e-portal (<https://parivesh.nic.in/>).

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh


Deputy Commissioner,  
Namsai District :: Namsai (A.P)





## **UNDERTAKING XVIII**

In reference to the directions given in **Paragraph xvi** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that the cost of felling of trees shall be deposited by the User agency with the State Forest Department although no tree felling is involved.

  
Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh  
Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



## **UNDERTAKING XIX**

In reference to the directions given in **Paragraph xvii** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that the trees would be felled in phased manner as per the requirement with prior permission of concerned DFO although no tree felling is involved.


Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh  
Deputy Commissioner,  
Namsai District :: Namsai (A.P.)





## **UNDERTAKING XX**

In reference to the directions given in **Paragraph xviii** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that the User Agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department, though no tree felling is involved.

  
Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh  
Deputy Commissioner,  
Namsai District:: Namsai (A.P.)



## **UNDERTAKING XXI**

In reference to the directions given in **Paragraph xix** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that no labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P.)





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## **UNDERTAKING XXII**

In reference to the directions given in **Paragraph xx** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that the layout plan of the proposal shall not be changed by User Agency without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal.


Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



## **UNDERTAKING XXIII**

In reference to the directions given in **Paragraph xxi** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that the forest land proposed to be diverted shall, under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.

  
Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh  
Deputy Commissioner,  
Namsai District :: Namsai (A.P.)





## **UNDERTAKING XXIV**

In reference to the directions given in **Paragraph xxii** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that no damage to the flora and fauna of the adjoining area shall be caused.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



## **UNDERTAKING XXV**

In reference to the directions given in **Paragraph xxiii** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that that the User Agency shall abide by any other condition that the concerned Regional Office of the Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P.)





## **UNDERTAKING XXVI**

In reference to the directions given in **Paragraph xxiv** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that User Agency shall comply with all the provisions of all Acts, Rules, Regulations, Guidelines, complete compliance of the FRA, 2006, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.


Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P.)



## **UNDERTAKING XXVII**

In reference to the directions given in **Paragraph xxv** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that User Agency is agreed upon and aware about the fact that the violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Handbook of comprehensive guidelines of van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 issued by this Ministry's letter No.5-2/2017-FC dated 29.12.2023.

  
Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh  
Deputy Commissioner,  
Namsai District:: Namsai (A.P.)





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## **UNDERTAKING XXVIII**

In reference to the directions given in **Paragraph xxvi** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that User Agency shall submit the annual self-compliance report in respect of the stipulated conditions to the State Government, concerned regional office and to the Ministry by the end of March every year regularly.

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh

Deputy Commissioner,  
Namsai District :: Namsai (A.P)



## **UNDERTAKING XXIX**

In reference to the directions given in **Paragraph xxvii** of the letter vide F. No. ANC081/2022/GHY, dated 15<sup>th</sup> March 2024, I on behalf of the District Administration, Namsai District (User Agency) hereby undertake that the compliance report shall be uploaded on the e-portal(<https://parivesh.nic.in/>).

Deputy Commissioner  
Namsai District: Namsai  
Arunachal Pradesh  
Deputy Commissioner,  
Namsai District :: Namsai (A.P.)