



GOVERNMENT OF GOA
Office of the Principal Chief Conservator of Forests
"Goa Van Bhawan" Forest Department
Altinho, Panaji, Goa
Ph: - 0832-2492528, 2492508, 2492553.
Email: defme-forest.goa@nic.in

No. 6-894-2021-22-FD/ 47

Dated: 05/04/2021

Chaitra15, Saka 1942.

To,
The Dy. Director General of Forest (Central)
Ministry of Environment, Forest & Climate Change,
Government of India,
Regional office (Southern Zone),
Kendriya Sadan, IVth Floor, E & F Wings,
17th Main Road, IInd Block, Koramangala,
Bangalore. 560 034.

Sub:- Diversion of 0.6156 ha. of forest land in Sy. No. 19 of Cola village & Sy. No. 29 of Quepem village for construction of road from Popaidando to Khedem in favour of Executive Engineer, WD XXV(R), Public Work Department, Fatorda, Margao, Goa-reg.

Ref: MoEF&CC letter No. 4-GOB1226/2020-BAN/157 dated 05/06/2020.

Sir,

I am directed to refer to the letter dated 05/06/2020 in the above mentioned subject and to enclosed herewith the detailed report as submitted by DCF (South) as Annexure-I. Further to inform that an advisory has been issued to Public Work Department (copy enclosed).

Submitted for information and further processing of the proposal please.

Yours faithfully,

(Aniket P. Gaonkar)

Dy. Conservator of Forest
Monitoring & Evaluation

Encl: a.a.



Office of the P.C.C.F.
14191
No. 9121
29/01/2021

90/c

Sum
29.1.2021

SCF CMR

GOVERNMENT OF GOA
Office of the Dy. Conservator of Forests

South Goa Division
Margao - Goa. Pin 403601.

Phone:- 0832-2750246, 2751462 Fax. 0832-2751462

No.6/FCA-81/Road/DCFS/TECH/2020-21/ 2578

Dated:- 29/01/2021
Pausa, 9 1942 (Saka)

nkup
fcl/2021
HL

To,
The Conservator of Forests (Conservation),
'Goa Van Bhavan'
Altinho, Panaji-Goa.

Sub : Diversion of 0.6156 ha. of forest land in Sy. No.19 of Cola village & Sy. No.29 of Quedem village in Quepem Constituency for construction of road from Popaidando to Khedem in favour of the Executive Engineer, WDXV(R). Public Works Department, Fatorda, Margao, Goa - reg.

Sir,

With reference to the subject cited above. I am submitting herewith the detail inquiry conducted by the Sub Divisional Forest Officer, Canacona in view of offences committed in construction of said road in Forest land under Sy. No.19 of Cola village & Sy. No.29 of Quedem village in Quepem Constituency.

The Sub Divisional Forest Officer, Canacona has recorded the statement as provided under section 72(1)(d) of Indian Forest Act, 1927 of Shri Flaviano Jose Miranda, then Executive Engineer, Division XXV (R), Shri Sharadchandra G. Vernekar, then Junior Engineer and Shri Pradeep Pednekar, then Assistant Engineer, Division XXV(Roads). Also recorded the statement of Shri Devidas K. Velip, Incharge Range Forest Officer, Pissoneim, the copies of the statement and brief of the case are enclosed.

As per the findings of the Sub Divisional Forest Officer, Canacona. Shri Flaviano Jose Miranda, then Executive Engineer, Division XXV (R) has issued the order for the work of road from Popaidanod to Quedem in Quepem Constituency. No approval under Forest (Conservation) Act, 1980 was obtained by them for construction of said road passing through Government Forest land under survey No.29/0 of Quedem village of Quepem Taluka and survey No.19/1 of Cola village of Canacona Taluka.

Submitted please.

Yours faithfully,

(Anil A. Shetgaonkar)
Dy. Conservator of Forest,
South Goa Division,
Margao-Goa

Sub Divisional Forest Officer,
Canacona-Goa.

659
12/21
MBE

3
89)

STATEMENT U/s 72 (1)(d) of Indian Forest Act, 1927

I the undersigned Shri Flaviano Jose Miranda, 61 years, son of Antonio Miranda, R/o. H., No.70/C/6 Duncolim, Seraulim, Salcete-Goa.

I say that I was working as Executive Engineer in Division XXV (R) from the year July 2015 till May 2019.

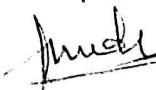
In regards to offence Cases booked under ROC No.12/PRO/PSN/2018-19 dated 30/11/2018 in Sy.No.19/1 of Cola village and Roc No.13/PRO/PSN/2018-19 dated 30/11/2018 in Sy.No.29/0 of Quedem village, it is to state that our office's Junior Engineer has prepared an estimate for construction of Road from Popaidando to Khedem in Quepem constituency (copy submitted) as per the letter received from honourable MLA of Quepem constituency dated 16/07/2012 and further submitted to Chief Engineer for technical sanction and obtained technical sanction vide order No.1-1-05/CE-NH(R&B)/PWD/Vol.1/337 dated 04/10/2013. And further obtained Administration approval order vide No.8-74/DTW/2014-15/acts/5782 Dated 30/10/2014 and Expenditure Sanction order vide No.8-78-2015-16/DTW/ACCTS/12456 dated 30/11/2015. It was specified on the said approval orders that the tender shall not be invited unless land is acquired. For acquisition of land, our office has started the procedure and also included the cost of land acquisition in estimate. Simultaneously Assistant Engineer also requested the Forest Department to issue NOC for construction of said road vide letter No.PWD/WDX XV/SDIII/ADM-W/153/2014-15 dated 14/07/2014 against which Dy.Conservator of Forests, South Goa Division vide letter No.6/FCA-GEN/DCFS/TECH/14-15/1411 dated 18/07/2014 requested to submit the proposal as required under section 2 of Forest (Conservation) Act, 1980 and accordingly submitted the check list for proposal vide letter No.PWD/WDX XV/SDIII/Adm-W/220/2017-18 dated 06/11/2017.

I say that I have issued the work order to the agency without prior approval of Forest Department anticipating that the same would be obtained subsequently while the work was being carried out in private land as the total length of proposed work was 1.6kms. out of which 437 mtrs. was a forest area.

The above statement is recorded at my will without any external pressure and is true and correct for which I sign here in below.

Place: Canacona-Goa

Date: 22/12/2020.


(Flaviano Jose Miranda)

Before me


(Aniket Naik Gaonkar)
Sub Divisional Forest Officer,
Canacona-Goa.

Sub Divisional Forest Officer,
Canacona-Goa.

88

STATEMENT U/s 72(1)(d) of Indian Forest Act, 1927

I the undersigned Shri Sharadchandra G.Vernekar, 58 years, son of Gurudas Krishna Vernekar, R/o. Sheller, Canacona Goa. Presently working as Assistant Engineer in Sub Division II, Division XXV, PWD, Quepem Goa.

I say that I was working as Junior Engineer in Division XXV(Roads) Canacona Goa from 2012 till Oct. 2020.

In regards to offence Cases booked under ROC No.12/PRO/PSN/2018-19 dated 30/11/2018 in Sy.No.19/1 of Cola village and Roc No.13/PRO/PSN/2018-19 dated 30/11/2018 in Sy.No.29/0 of Quedem village, it is to state that I had prepared an estimate for construction of Road from Popaldando to Khdedem in Quepem constituency (copy submitted) as per the letter received from honourable MLA of Quepem constituency dated 16/07/2012 and further submitted to Chief Engineer for technical sanction and obtained technical sanction vide order No.1-1-05/CE-NH(R&B)/PWD/Vol.1/337 dated 04/10/2013. And further obtained Administration approval order vide No.8-74/DTW/2014-15/acts/5782 Dated 30/10/2014 and Expenditure Sanction order vide No.8-78-2015-16/DTW/ACCTS/12456 dated 30/11/2015. It was specified on the said approval orders that the tender shall not be invited unless land is acquired. For acquisition of land, our office has started the procedure and also included the cost of land acquisition in estimate. Simultaneously this office also requested the Forest Department to issue NOC for construction of said road vide letter No.PWD/WDXV/SDIII/ADM-W/153/2014-15 dated 14/07/2014 against which Dy.Conservator of Forests, South Goa Division vide letter No.6/FCA-GEN/DCFS/TECH/14-15/1411 dated 18/07/2014 requested to submit the proposal as required under section 2 of Forest (Conservation) Act, 1980 and accordingly submitted the check list for proposal vide letter No.PWD/WDXV/SDIII/Adm-W/220/2017-18 dated 06/11/2017.


I say that notice for inviting tender for construction of said road was issued by tender issuing authority Executive Engineer Division XXV (Roads), PWD in the year 2014 and work was allotted to M/s. Thasma Constructions Pvt.Ltd. vide order No.13/1/2016-16/PWD/25/accts/887 dated 13/01/2016. Accordingly agreement was signed between contractor and Executive Engineer as per rules in force. Further valuation of trees from private properties was sought from the Range Forest Office, Plissonem vide letter No.PWD/WDXV/SDIII/Adm-35/111/2016-17 dated 20/07/2016.

I say that in the month of November 2018, the contractor commenced the work of construction of road in private area and gradually reached further in the Govt Forest area under survey No.19/1 of Cola village and survey No.29/0 of Quedem village without my knowledge but the Forest officials registered an offence for felling of trees and excavation and levelling for road construction in aforesaid forest area.

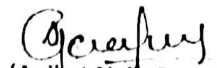
I say that myself and A.E. Pradeep Pednekar have shown the site to the contractor and told him not to carry out any work in the forest property as mentioned in letter addressed to RFO Plissonem dated 20/07/2016 but said contractor without our knowledge reached in Forest area and carried out the work in span of two days and on same days we were also busy in some other official work.

The above statement is recorded at my will without any external pressure and is true and correct for which I sign here in below.

Place: Canacona-Goa
Date: 27/11/2020.


(Sharadchandra G.Vernekar)

Before me

Before me

(Aniket Naik Gaonkar)
Sub Divisional Forest Officer,
Canacona-Goa.

87

STATEMENT U/s 72 (1)(d) of Indian Forest Act, 1927

I the undersigned Shri Pradeep Pednekar, 58 years, son of Tukaram Pednekar, R/o. H.,No.1108, Ghotmorod Cacora, Quepem Goa. Presently working as Asslstant Engineer in Sub Division IV, of Works Division XVIII (Roads) Ponda Goa.

I say that I was working as Assistant Engineer in Sub Div III Division XXIV from the year 2012 till January 2020.

In regards to offence Cases booked under ROC No.12/PRO/PSN/2018-19 dated 30/11/2018 in Sy.No.19/1 of Cola village and Roc No.13/PRO/PSN/2018-19 dated 30/11/2018 in Sy.No.29/0 of Quedem village, it is to state that our office's Junior Engineer has prepared an estimate for construction of Road from Popaidando to Khdedem in Quepem constituency (copy submitted) as per the letter received from honourable MLA of Quepem constituency dated 16/07/2012 and further submitted to Chief Engineer for technical sanction and obtained technical sanction vide order No.1-1-05/CE-NH(R&B)/PWD/Vol.1/337 dated 04/10/2013. And further obtained Administration approval order vide No.8-74/DTW/2014-15/acts/5782 Dated 30/10/2014 and Expenditure Sanction order vide No.8-78-2015-16/DTW/ACCTS/12456 dated 30/11/2015. It was specified on the said approval orders that the tender shall not be invited unless land is acquired. For acquisition of land, our office has started the procedure and also included the cost of land acquisition in estimate. Simultaneously I have also requested the Forest Department to issue NOC for construction of said road vide letter No.PWD/WDXV/SDIII/ADM-W/153/2014-15 dated 14/07/2014 against which Dy.Conservator of Forests, South Goa Division vide letter No.6/FCA-GEN/DCFS/TECH/14-15/1411 dated 18/07/2014 requested to submit the proposal as required under section 2 of Forest (Conservation) Act, 1980 and accordingly submitted the check list for proposal vide letter No.PWD/WDXV/SDIII/Adm-W/220/2017-18 dated 06/11/2017.

I say that notice for inviting tender for construction of said road was issued by tender issuing authority Executive Engineer Division XXV (Roads), PWD in the year 2014 and work was allotted to M/s. Thasma Constructions Pvt.Ltd. vide order No.13/1/2016-16/PWD/25/accts/887 dated 13/01/2016. Accordingly agreement was signed between contractor and Executive Engineer as per rules in force. Further valuation of trees from private properties was sought from the Range Forest Office, Pissonem vide letter No.PWD/WDXV/SDIII/Adm-35/111/2016-17 dated 20/07/2016.

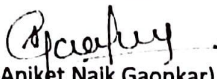
I say that in the month of November 2018, the contractor commenced the work of construction of road in private area and gradually reached further in the Govt Forest area under survey No.19/1 of Cola village and survey No.29/0 of Quedem village and then Forest officials registered an offence for felling of trees and excavation and levelling for road construction in aforesaid forest area.

I say that myself and Junior Engineer Sharadchandra G.Vernekar have shown the site to the contractor and told him not to carry out any work in the forest property as mentioned in letter addressed to RFO Pissonem dated 20/07/2016 but said contractor without our knowledge reached in Forest area and carried out the work in span of two days and on same days we were also busy in some other official work.

The above statement is recorded at my will without any external pressure and is true and correct for which I sign here in below.

Place: Canacona-Goa
Date: 27/11/2020.


(Pradeep Tukaram Pednekar)

Before me

(Aniket Naik Gaonkar)
Sub Divisional Forest Officer,
Canacona-Goa.

8-10

STATEMENT UNDER 72(1)(d) OF IFA, 1927

I the undersigned Shri Devidas K. Velip, Dy. Range Forest Officer, presently working as in-charge Range Forest Officer of Pissonem Range do hereby state as under.

I say that upon my transfer to Pissonem Range from Quepem Range vide order no.1-V-15-2019/1887 dated 19/07/2019, I joined Pissonem Range on 01/08/2019 and taken over the charge of Pissonem Range on 10/09/2019 from Shri Prakash Naik Range Forest Officer as per order no.1/EST/SGF/RFO/2019-20/1556 dated 09/09/2019.

I say that offence case no.12/PRO/PSN/2018-19 and 13/PRO/PSN/2018-19 were registered on 30/11/2018 when I was working in Quepem Range.

Upon perusal of records available in Range office, it is observed that inquiry report of above mentioned cases was submitted to the Division office vide letter no. 5/Off.case/PSN/2019-20/18 dated 09/04/2019 by completing the inquiry prior to my joining to Pissonem Range.

Further it is observed that one Shri Rajesh K. r/o 17/194, Lake house, Ganesh Nagar, Mannipady, P.O. Ramdas Nagar, Kudlu Kasaragod, Kerala-671124 was booked for committing above mentioned offences.

In this regard, further it is to state that as per the records it is observed that the work of construction of road from Popoidando to Khedem was allotted to Thasma Construction Pvt. Ltd vide order no.13/1/2015-16-PWD25/Acts/887 dated 13/01/2016 by Executive Engineer, Work Division XXV (Roads) Fatorda Goa without obtaining permission from Forest Department for diversion of forest area involved for construction of road.

I say that the statement of Shri Pradeep Pednekar, Assistant Engineer and Shri Sharadchandra G. Vernekar, Junior Engineer was recorded by the undersigned as per the instruction of Dy. Conservator of Forests South Goa Division on 28/05/2020 and 20/05/2020 respectively.

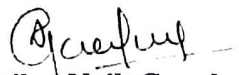
Place: Canacona

Date: 27/11/2020


(Devidas K. Velip)


I/C Range Forest Officer,
Pissonem Goa.

Before Me


(Aniket Naik Gaonkar)
Sub-Divisional Forest Officer
Canacona-Goa.

- Chief of the Case.
- 1) The Range Forest Officer, Pissonem registered an offence under R.O.C. No. 12/PRO/PSN/2018-19 dated. 30/11/2018 and R.O.C No. 13/PRO/PSN/2018-19 dated. 30/11/2018 under Indian Forest Act 1927 in sy. no. 19/1 of Cola Village and 29/0 of Quedem Village respectively.
 - 2) The Offender in both cases is Shri. Rajesh Krishna, r/o 17/194, lake house, Ganesh Nagar, Mannipady, P.O. Ramdas Nagar, Kudlu, Kasaragod, Kerala 671124 was arrested and released on bond.
 - 3) Details of Material seized: -
 - a) A Round Roller (Green in Colour).
 - b) Bolero pickup bearing Registration No. GA-08-0999.
 - c) Firewood:- 0.600 m³
 - 4) The Range Forest Officer, Pissonem submitted its inquiry report on 09/04/2019.
 - 5) The vehicles were released on 15/04/2019 vide order no. 4/4/12/SGF/2018-19/19-20/80 dated 15/04/2019.
 - 6) Further, The Range Forest Officer, Pissonem recorded the statement of Shri. Pradeep Pednekar, Assistant Engineer and Shri. Sharadchandra G. Vernekar, Junior Engineer on 28/05/2020 and 20/05/2020 respectively.
 - 7) The Sub Divisional Forest Officer, Canacona was directed to conduct further inquiry on 02/11/2020.
 - 8) The Sub Divisional Forest Officer, Canacona recorded statement of:
 - a) Shri. Sharadchandra G. Vernekar, then Junior Engineer of XXV (Roads, Canacona Goa.
 - b) Shri. Pradeep Pednekar, Assistant Engineer, Sub Div. III, Div. XXIV, Canacona Goa.
 - c) Shri. Devidas Velip, I/C Range Forest Officer, Pissonem Goa.
 - d) Shri. Flaviano Jose Miranda, Retired Executive Engineer, Div. XXV (Roads).
 - 9) Shri. Flaviano Jose Miranda, Retired Executive Engineer agreed in its statement that he had issued work order to the agency for commencement of work, without **prior approval under Forest Conservation Act, 1980.**

and submitted to Division office on 22/12/2020.


(Aniket Naik Gaonkar)
Sub Divisional Forest Officer,
Canacona Goa.



GOVERNMENT OF GOA
Office of the Principal Chief Conservator of Forests
"Goa Van Bhawan" Forest Department
Altinho, Panaji, Goa
Ph: - 0832-2492528, 2492508, 2492553.
Email: dcfme-forest.goa@nic.in

No. 6-894-2020-21-FD/ 6357

Dated: 31/03/2020

Chaitra 10, Saka 1942.

Advisory

Section 2 of Forest (Conservation) Act, 1980 provides for restriction on the de-reservation of forests or use of forest land for non-forest purpose. Further as per Section 2 (ii) of the Act, any forest land or any portion thereof may be used for any non-forestry purpose by any authority except with the prior approval of the competent authority under FCA, 1980.

The work of Public Work Department often includes both forest & non-forest land. To avoid any violation of FCA, 1980 for which there is specific provision mentioned under Section 3A & Section 3B of the Act, it is desirable that a system may be developed within PWD to highlight that if any project involves both forest as well as non-forest land then, in that case no work should be commenced, even in non-forest land, until approval of competent authority under FCA, 1980 is received by PWD in respect of diversion of forest land.

This issues with the approval of Competent Authority.

Yours faithfully,

(Aniket P. Gaonkar)

Dy. Conservator of Forest
Monitoring & Evaluation

To,
The Principal Chief Engineer
Public Work Department,
Altinho, Panaji, Goa.

=====
"Swachh Bharat, Swachh Goa"
"Clean India, Clean