पत्र संख्या–वन भूमि–34/2016– 5228 व०प०

झारखण्ड सरकार

वन, पर्यावरण एवं जलवायु परिवर्तन विभाग

प्रेषक,

सुनील कुमार,
सरकार के उप सचिव।

सेवा में,

उप वन संरक्षक (केन्द्रीय),
भारत सरकार,
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,
क्षेत्रीय कार्यालय, राँची, बंगला नं0–A-2,
श्यामली कॉलोनी, राँची–834002

राँची, दिनांक– 13/12/2017

विषय :– गुवा–सलाई पथ कि0मी0 11.00 से 29.00 फेज–II में वन क्षेत्र वाले पथ का चौड़ीकरण, मजबूतीकरण एवं पुर्ननिर्माण कार्य के लिए वन संरक्षण अधिनियम, 1980 के तहत् 7.67 हे0 वनभूमि अपयोजन प्रस्ताव के संबंध में।

प्रसंगः– भवदीय पत्रांक–FP/JH/ROAD/23802/2017/1748 दिनांक–04.12.2017

महाशय,

निदेशानुसार उपर्युक्त विषयक प्रासंगिक पत्र द्वारा विषयगत परियोजना हेतु की गई पृच्छा के आलोक में प्रधान मुख्य वन संरक्षक–सह–कार्यकारी निदेशक, बंजर भूमि विकास बोर्ड, झारखण्ड, राँची के पत्रांक–1146 दिनांक–12.12.2017 से प्राप्त निराकरण प्रतिवेदन की छायाप्रति (अनुलग्नकों सहित) सूचनार्थ एवं आवश्यक कार्रवाई हेतु संलग्न है।

अतः अनुरोध है कि विषयक प्रस्ताव में अग्रतर कार्रवाई करने की कृपा की जाय।

अनु0–यथोक्त।

विश्वासभाजन

13/12/17
(सुनील कुमार)
सरकार के उप सचिव

ज्ञापांक–वन भूमि–34/2016– 5228 व०प०, राँची, दिनांक– 13/12/17

प्रतिलिपि–सचिव, भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, अलीगंज, जोरबाग रोड, नई दिल्ली–110003 को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

13/12/17
सरकार के उप सचिव

ज्ञापांक–वन भूमि–34/2016– 5228 व०प०, राँची, दिनांक– 13/12/17

प्रतिलिपि–प्रधान मुख्य वन संरक्षक, झारखण्ड, राँची/प्रधान मुख्य वन संरक्षक–सह–कार्यकारी निदेशक, बंजर भूमि विकास बोर्ड, झारखण्ड, राँची/क्षेत्रीय मुख्य वन संरक्षक, सिंहभूम, जमशेदपुर/वन संरक्षक, प्रादेशिक अंचल चाईबासा/वन प्रमंडल पदाधिकारी, सारण्डा वन प्रमंडल/कार्यपालक अभियंता, पथ निर्माण विभाग, पथ प्रमंडल, मनोहरपुर, पश्चिमी सिंहभूम, झारखण्ड–833104 को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

13/12/17
सरकार के उप सचिव

ज्ञापांक–वन भूमि–34/2016– 5228 व०प०, राँची, दिनांक– 13/12/17

प्रतिलिपि–सचिव पथ निर्माण विभाग, झारखण्ड, राँची को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

13/12/17
सरकार के उप सचिव

184 फोलडर-1

कार्यालय :– प्रधान मुख्य वन संरक्षक–सह–कार्यकारी निदेशक, बंजर भूमि विकास बोर्ड, झारखण्ड, राँची।

पत्रांकः– 1146 दिनांकः– 12.12.17

सेवा में,
अवर मुख्य सचिव,
वन, पर्यावरण एवं जलवायु परिवर्तन विभाग,
झारखण्ड, राँची।

12 DEC 2017
झारखण्ड, राँची

विषय :– **गुवा–सलाई पथ कि0मी0 11.00 से 29.00 फेज–II में वन क्षेत्र वाले पथ का चौड़ीकरण मजबूती करण एवं पुर्ननिर्माण कार्य के लिए वन संरक्षण अधिनियम, 1980 के तहत् 7.67 हे0 वनभूमि का अपयोजन प्रस्ताव के संबंध में।**

प्रसंग :– **वन विभागीय पत्रांक 5107 दिनांक 06.12.2017**

महाशय,

प्रासंगिक पत्र के संबंध में सूचित करना है कि विषयगत परियोजना हेतु कुल 7.67 हे0 वनभूमि अपयोजन हेतु प्रस्ताव पर दिनांक 30.11.2017 को सम्पन्न R.E.C की बैठक में लिये गये निर्णय के आलोक में R.O.R के पत्रांक FP/JH/ROAD/23799/2017- 1748 दिनांक 04.12.2017 द्वारा पृच्छित 7 बिन्दुओं का निराकरण प्रतिवेदन क्षेत्रीय मुख्य वन संरक्षक, जमशेदपुर के पत्रांक 3215 दिनांक 07.12.2017 (छायाप्रति संलग्न) द्वारा प्राप्त हुआ है। क्षेत्रीय मुख्य वन संरक्षक, जमशेदपुर के प्रतिवेदनानुसार भारत सरकार के क्षेत्रीय कार्यालय, राँची (R.O.R) द्वारा पृच्छित बिन्दुओं का निराकरण बिन्दुवार निम्नवत् है :–

Sl. No.	Queries	Compliance
1.	Clarifying on the confusion of existing width and proposed widening, the user agency submitted that existing road is an old road with 7 meter vehicle plying surface along with 2.5 + 2.5 meter flanks on both sides, which is in dilapidated /broken condition. The proposal is only to renovate the road , which shall remain the same 12 meter wide as it was previously (7 meter surface with 2.5 + 2.5 flanks on both side). Undertaking in this regard may be submitted by User Agency.	The User Agency has submitted undertaking that the Roadway width will be 12m (7.0m black top with 2.5m flanks on either side). However, the User Agency has also mentioned that it may be more at curves, culverts, drainage and protection work portion (where required). **- Annexure-I**
2.	Accordingly, in the original proposal, 1716 numbers of trees is proposed for felling which was counted existing in all 25 meter row, is now clarified by the State Government that only 223 numbers of trees are proposed for felling, as per the existing 12 meter road, which is being renovated. Rest of trees beyond 12 meter shall be retained. Undertaking in this regard may be submitted by the User Agency.	The User Agency has submitted undertaking that the number of trees to be felled in km 11.00 to km. 29.00 will not be more than 223. **- Annexure-II**

12.12.17

3.	During the meeting, the user agency informed that ROW of the other roads in Saranda Forest Division are of 25 m as per pre-1980 revenue records. The Committee desired the documentary proof in this regards. The ROW user agency should provide proper documents related to their claims and specially on 25 m ROW.	The User Agency has submitted photocopies of revenue maps of area acquired by Road Construction Department in non-forest land. **- Annexure-III (A to F)**
4.	As per DSS, the map submitted by UA, which shows that the proposed forest land is located in two patches separated by a non-forest land patch, where the road has been already constructed. In this regard, the Committee directed the User Agency to submit the land revenue record of the non forest land portion.	The User Agency has submitted the same clarification as mentioned in sl. no.-3. They have also attached photographs of road constructed in non-forest portion. **-Annexure-IV (A to C)**
5.	Proper justification of the violation of Forest (Conservation) Act, 1980 should be submitted by the User Agency.	The User Agency has claimed that no violation of Forest (Conservation) Act, 1980 has taken place. They have also submitted that work was executed exactly as per order of Divisional Forest Officer, Saranda Forest Division vide letter no. 497 dated 14.03.2015. The User Agency has also referred to letter no. 2501 dated 12.06.2013 of the Dept. of Forest & Environment, Govt. of Jharkhand in relation to having not received any information of violation **(Annexure-V)**. However, the report of the User Agency is not true and therefore unacceptable. The then DFO had given permission for black topping of road to an extent of 7.00m with flanks as per requirement. Along with other conditions, the major condition was that fresh forest land will not be broken. However, the User Agency was breaking forest land beyond permitted limit. The work was stopped as soon as DFO Saranda Forest Division received information in this regard and information was given to the Executive Engineer, Road Division, Manoharpur/ Deputy Commisssioner, West Singhbhum, Chaibasa/Commissioner (Kolhan) Chaibasa and Conservator of Forests, Territorial Circle, Chaibasa vide Divisional letter No. 2512 and 2516 dated 30.11.2015 **(Annexure-VI & VII respectively)**. Two cases have been instituted against the User Agency under the relevant provisions of Indian Forest Act, 1927, vide case no. C/3-93/2015 dated 28/11/2015 **(Annexure-VIII)** and complaint case no. 174/2016 dated 28/2/2016 **(Annexure-IX)** in the Hon'ble Court of Chief Judicial Magistrate, Chaibasa. In accordance with the directions given in State Government's letter no. 03/वन भूमि (बैठक) 12/2008-2501/व0प0 dated 12.06.2013 Deputy Commissioner, West Singhbhum, Chaibasa was requested to take appropriate action for violation of the Forest Conservation Act,1980 vide Division letter no.266 dated 01/02/2016 and 1877 dated 23/8/2017. **(Annexure- X & XI)**

12.12.17

182

6.	The User Agency has to submit the information regarding number of existing culverts proposed along the proposed road and whether any additional culverts can be constructed for easy passage of wildlife of the area.	The User Agency has submitted requisite clarification. **-Annexure-XII**
7.	Suitability of the Proposed Penal CA land should be reassessed after site visit by the competent authority as the area appears to be moderately dense forest, site need to be changed for CA planting.	The proposed penal CA land has already been inspected earlier by Competent Authority, Divisional Forest Officer, Saranda Forest Division, Chaibasa and after inspection the site has been found suitable for RDF plantation of one thousand plants per hectare. Accordingly, proposed scheme is for RDF plantation which requires only 40% vacant land. Part of proposed land is moderately dense but the area is largely bushy and is therefore suitable for reforestation under RDF Scheme. Photographs of the proposed site attached as **Annexure-XIII (A to H).**

क्षेत्रीय मुख्य वन संरक्षक, जमशेदपुर से प्राप्त अनुपालन प्रतिवेदन की तीन प्रतियाँ इस पत्र के साथ संलग्न करते हुए अनुरोध है कि विषयगत परियोजना प्रस्ताव पर अग्रतर कार्रवाई करने की कृपा की जाय। सरकार के निर्देशानुसार संचिका पर प्रधान मुख्य वन संरक्षक, झारखण्ड, राँची से अनुमोदन प्राप्त कर लिया गया है।

अनु0:–यथोक्त।

अनुपालन प्रतिवेदन दो प्रतियों में।

विश्वासभाजन

12.12.17

प्रधान मुख्य वन संरक्षक–सह–कार्यकारी निदेशक
बंजर भूमि विकास बोर्ड, झारखण्ड, राँची।

12.12.17