

कार्यालय  
प्रभागीय वनाधिकारी, अल्मोड़ा वन प्रभाग, अल्मोड़ा  
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पत्रांक 6663 / 12-1(2) अल्मोड़ा दिनांक 22-6-2021

सेवा में

वन संरक्षक,  
उत्तरी कुमाऊँ वृत्त,  
उत्तराखण्ड, अल्मोड़ा।

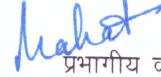
विषय :- **The Lease Renewal of a single patch 0.0608 Ha. In R/O colonial Jagjeet Singh Rautela.(17556/2016)**

संदर्भ :- **भारत सरकार द्वारा लगायी आपत्ति दिनांक 06.04.2021।**

महोदय,

उक्त विषयक संदर्भित पत्र के क्रम में अवगत कराना है कि प्रस्तावक विभाग द्वारा भारत सरकार द्वारा लगायी गयी आनलाईन आपत्तियों का निराकरण कर आनलाईन पार्ट I में अपलोड कर दिया गया है, जिसे संलग्न कर आपको इस आशय से प्रेषित किया जा रहा है कि प्रस्ताव में आवश्यक अग्रेत्तर कार्यवाही करने का कष्ट करें।

भवदीय



प्रभागीय वनाधिकारी,  
अल्मोड़ा वन प्रभाग अल्मोड़ा।

**PROPOSAL No. FP/UK/Others/17556/2016**

**REPLY TO EDS FOR THE LEASE RENEWAL OF A SINGLE PATCH (0.0608 HECTARE)**

**IN R/O COLONEL JAGJEET SINGH RAUTELA,**

**VILLAGE KHANYA, PADOLI COMPARTMENT No.1, RANIKHET.**

1. Clarification to the 12 EDS Points are given in tabular form as under :-

<b><u>EDS No.</u></b>	<b><u>EDS</u></b>	<b><u>REPLY/JUSTIFICATION</u></b>
1.	Short Narrative with adequate information about the lease renewal proposal.	<ul style="list-style-type: none"><li>➤ The short narrative with adequate information has been uploaded in online Para - A-1(iii) of Part - I.</li><li>➤ Detailed information uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copy of same submitted to the Regional Office &amp; Nodal Office.</li></ul>
2.	Documents in support of competent authority of person making online application.	<ul style="list-style-type: none"><li>➤ Documents to support the competent person, i.e., Colonel Jagjeet Singh Rautela S/O Late Rajandra Singh Rautela ji, the legal hire has been attached at Online Para - A - 3(xvii) of Part - 1.</li><li>➤ Copy of documents in support are also uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copy of same submitted to the Regional Office &amp; Nodal Office.</li></ul>
3.	Component wise breakup of forest plot. (A single patch of 0.0608 Hec), not provided in Para-B-2.4 of Online Part-I ?	<ul style="list-style-type: none"><li>➤ Same has been uploaded in Para-B-2.4 of Online Part-I.</li><li>➤ Renewal of Single Plot (one patch only of 0.0608 Hec) with a pre-built house (component wise breakup of forest plot thus not required as old lease) which was originally built and lease granted for the same in the year 1924 (56 years prior to FCA 1980).</li><li>➤ Detailed justification uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copy of same submitted to the Regional Office &amp; Nodal Office.</li></ul>
4.	Copy of Survey of India Toposheet indicating boundary of lease renewal land proposed not submitted at Para-C (iii) of Online Part-I.	<ul style="list-style-type: none"><li>➤ Copy of Survey of India Toposheet Map and Digital Photo of the boundary obtained and has been submitted at Para-C (iii) of Online Part-I.</li><li>➤ All map documents are uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copies of same submitted to the Regional Office &amp; Nodal Office.</li></ul>
5.	Copy of note containing justification for locating the project in forest land not attached in Para D (i) of Online Part-I.	<ul style="list-style-type: none"><li>➤ Justification for the lease renewal proposal for the lease renewal of single patch Forest Plot (0.0608 Hec) has been attached at Para D (i) of Online Part-I.</li><li>➤ Detailed justification uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copy of same submitted to the Regional Office &amp; Nodal Office.</li></ul>

6.	FRA Certificate along with all annexure has not been attached at Para-K of Online Part-I.	<ul style="list-style-type: none"> <li>➤ FRA Certificate along with all annexures have been duly attached at Para-K of Online Part-I.</li> <li>➤ All relevant certificates duly signed by the civil authorities uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copy of same submitted to the Regional Office &amp; Nodal Office.</li> </ul>
7.	In Para-5 of Online Part-II, Working Plan prescriptions have not been given.	<ul style="list-style-type: none"> <li>➤ Same uploaded at Para-5 of Online Part-II. The leased plot has a pre-built house since 1924. Clearing of forest or removal of soil is not required. Working plan is as per lease deed of 1924 onwards.</li> <li>➤ Same has also been uploaded at Para-6 of Online Part-II. The plot is not in any core forest area. It does not pose any danger/threat to the forest environment nor is vulnerable to any soil erosion. The patch is not under any violation of FCA 1980.</li> <li>➤ Details uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copy of same submitted to the Regional Office &amp; Nodal Office.</li> </ul>
8.	In Para-7 of Online Part-II, approximate distance of the proposed single patch renewal site from boundary of forest is mentioned as NIL. Does it mean that the area is situated at the boundary of the forest?	<ul style="list-style-type: none"> <li>➤ Clarification of the site from the forest boundary has been uploaded in Para-7 of Online Part-II. The distance is 60 to 80 feet from the boundary.</li> <li>➤ Certification duly signed and verified has been uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copy of same submitted to the Regional Office &amp; Nodal Office.</li> </ul>
9.	It is seen from the lease deed of the plot of land measuring 80ft X 76ft in compartment No.1 of Padholi was assigned to Shri Rajendra Singh Rautela S/O Shri Guman Singh. Thus, the lease has expired, the documents in support of subsequent renewal has not been submitted. In this connection, it was stated that the forest clearance is mandatory in this case for any renewal of lease after 25-10-1980 i.e enactment of the Forest (Conversion) Act, 1980 but, no details are provided in Para-A-2 (xii) & Para-B-1 (i) of online part one.	<ul style="list-style-type: none"> <li>➤ The justification on delay of subsequent lease has since then been uploaded and provided in Para-A-2 (xii) &amp; Para-B-1 (i) of online part one.</li> <li>➤ The case was pending with the State of Uttar Pradesh till formation of Uttranchal State in 09 Nov 2000 and the subsequent institution of fresh policies of the new State of Uttarakhand after 2015. Lessee's father, Late Rajendra Singh Rautela ji kept applying afresh in the years 1981, 1999, 2000, 2002, 2005, 2007, 2009 till his demise in 2010. The present heir, Colonel Jagjeet Singh Rautela, has since then been continually applying for lease renewal in the online portal for the proposal for renewal and has been submitting the Hard Copies accordingly.</li> <li>➤ Detailed justification uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copies of same submitted to the Regional Office &amp; Nodal Office.</li> </ul>

10.	No details are given about transfer of lease, if any, in online Para-A-9.	<ul style="list-style-type: none"> <li>➤ Justification and reply have now been given in online Para-A-9.</li> <li>➤ Details uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copy of same submitted to the Regional Office &amp; Nodal Office.</li> </ul>
11.	The number of trees is shown as NIL in Online Part-II but the density is mentioned as 0.3.	<ul style="list-style-type: none"> <li>➤ Verified certificate of density of vegetation is 0.00(NIL) inside the single leased patch of 0.0608 Hec in Eco-Class-ECO-4(IV), which has been duly signed and submitted in Online Part-II.</li> <li>➤ Verified certificate duly authenticated uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copy of same submitted to the Regional Office &amp; Nodal Office.</li> </ul>
12.	As per the lease deed, the land was assigned on lease for a shop only but, the applicant wants to erect tourism infrastructure-cum-residential building which is a deviation from the original purpose which may not be permissible in the present context. Moreover, as per Para 4.5 of guidelines, forest land cannot be diverted for residential/dwelling houses.	<ul style="list-style-type: none"> <li>➤ The applicant, Colonel Jagjeet Singh Rautela S/O Late Rajendra Singh Rautela ji affirms that no terms of FCA 1980 have been violated till date. The lease renewal is sought as per the original lease deed of 1924 and the subsequent renewal deed, keeping in mind all the rules as per Para 4.5 of guidelines and adherence to the same. Approval of the lease renewal proposal and issue of 'No Objection Certificate' (NOC), is therefore, humbly requested, so as to ease the long suffering of the lessee and to resolve the long-standing case. The same has also been requested by the applicant through his letter No. 46197/A/Pers-01 dated 03-06-2021 for renewal for a period of 99 years (2021 to 2110).</li> <li>➤ The proposal for renewal has been wholly accepted by the Uttarakhand State Govt. vide File No. 2(13)/2016 dated 28/03/2016 and by the Office of The Nodal Officer &amp; PCCF Forest Department, Dehradun (UK) vide letter No. 2877/1G-FP/UK/Others/17556/2016 Dehradun dated 19/03/2016 and Part IV dated 19/03/2016 (letters attached with hard copies).</li> <li>➤ The plot has been leased 56 years (1924) prior to the enactment of FCA 1980. The proposal is totally in order, there is no violation of the act, complying to and in adherence to para 4.5 of Guide Lines.</li> <li>➤ Detailed justification uploaded at Form-B, Part-I as Additional Information Details &amp; Signed Hard Copy of same submitted to the Regional Office &amp; Nodal Office.</li> </ul>

2. Detailed justifications and clarifications have been duly uploaded in Form-B Part-I and in the Additional Information Details and Hard Copies duly signed and authenticated have also been submitted to The Regional Office & The Nodal Office.



Colonel Jagjeet Singh Rautela

(S/O Late Rajendra Singh Rautela ji)

Lessee