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

No.FOR.14/Cons/2020/4277-80 Itanagar, dated, the **26th July'2023**

To

The Regional Officer,
Ministry of Environment, Forest & Climate Change,
Integrated Regional Office, Guwahati,
4th Floor, Housefed Building, G.S Road, Rukmanigaon,
Guwahati-781022

Sub: **Proposal for diversion of 19.52 ha of forest land for establishment of Golden Pagoda at Namsai under Namsai Forest Division, Namsai District of Arunachal Pradesh by General Administration, Namsai, Govt of Arunachal Pradesh- Reg.**

Ref: IRO, Guwahati letter No. F No. 3-ANC 081/2022-GHY/3954-55 dated 24.05.2023.

Madam,

In pursuance to above letter cited under reference, I am directed to furnish herewith the point wise reply to the queries raised by the you in respect of the proposal for diversion proposal of 19.52 ha of forest land for establishment of Golden Pagoda (Kongmu Kham) in Namsai District of Arunachal Pradesh.

The point wise information/ documents sought are being furnished below:

Sl. No.	OBSERVATION	REPLY
(i)	It is observed that State Government has drawn the following offence report and action taken report submitted is found incomplete.	
(a)	No. MBR/01/2004-05 dated 10.02.2005 under section 25(a) of Assam Forest Regulation Act,1891 against Shri Shiv Shankar Dutta, C/o Arunachal Trade Agencies, Namsai by the Range Forest Officer, Manabhum Forest Range	As per report submitted by the Chief Conservator of Forests, Eastern Arunachal Circle, the offence was detected on 10.02.2005, and offence report was immediately drawn by Range Forest Officer, Manabhum Forest Range, Lathao vide O.R. No. MBR/01 of 2004-05 dtd.10.02.2005, so there was not delay in detection of offence by the then Range Forest Officer. The aforesaid offence report was submitted to the Addl. Deputy Commissioner, Namsai vide Divisional Forest Officer, Namsai Forest Division vide letter No. AND/16/2001/3478-79 dated 23.03.2005 for prosecution under Assam Forest Regulation, 1891.

b)	No. MBR/03 of 2016-17 dated 03.03.2017 under F(C)Act, 1980 and Assam Forest Regulation Act, 1891 & V/S 72(p) subrule (2) against Shri Ranjan Modi C/o Chow Sanyok Hupak, Namsai by the Range Officer, Manubhum Forest Range, Lathao	This offence is not related with Golden Pagoda. It is approximately 3 km away from Golden Pagoda site.
c)	No.MBR/01/2018-19 dated 19.04.2018 under section 25(a) of Assam Forest Regulation Act 1891 & under section 2(ii) & 2(iii) of F(C) Act,1980 against EE, PWD Division, Namsai by the Range Forest Officer, Manabhum Forest Range.	This offence report was again drawn by RFO, Manabhum against EE, PWD, Namsai within the already encroached area of 19.52 Ha. for construction of Pacca road
d).	No.MBR/04/2017-18 dated 22.12.2017 under section 25(a) of Assam Forest Regulation Act,1891 against Chow Tungpula Hopak, Namsai by the Range Forest Officer, Manabhum Forest Range.	This offence report is not related with Golden Pagoda. It is approximately 4 km away from Golden Pagoda.
e).	No.TP/03/2017-18 dated 23.02.2018 under section 25(a) of Assam Forest Regulation Act,1891 & under Section 2(ii) & 2(iii) of F(C)Act,1980 against Shri Korme & 10 others by the Range Forest Officer, Tengapani	This offence report is not related with Golden Pagoda. It is approximately 11 km away from Golden Pagoda.
1.	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 delay was due to the order dated 29.03.2018 of the Executive Magistrate informing that he was no longer empowered to take up trail cases. Further, in another case Chief Judicial Magistrate vide order dtd.29.08.2017(probably typing mistake 29.08.2018) has asked for specific notification. With regard to initiation of action against Forest Department Officials it is to inform that the Memorandum of Charges was issued on 12.08.2018 against the then Divisional Forest Officer who was holding the charge of Namsai Forest Division during the period 21.03.2005 to 17.06.2010. The entire process of disciplinary proceedings and charges against the officer were set-aside and the case was directed to be closed by the then Principal Chief Conservator of Forests & Principal Secretary (Environment, Forest and Climate Change on 08.03.2021 based on the following reasons:

		i. Inquiry Officer has drawn the conclusion that the charges not proved. ii. Disciplinary proceeding was initiated without approval of competent authority. It is further to inform that necessary action is also being initiated to conduct further inquiry in view of the seriousness of the matter. The report submitted by the CCF, EAC is enclosed **as Annexure -I**
2.	The Site suitability certificate of the alternate CA site identified under Tengapani Reserved Forest.	The Site Suitability Certificate of alternate CA site over 40 Ha. in different site as Plot-I (20 Ha.) & II (20 Ha.) under Tengapani Reserve Forest submitted by DFO Namsai is enclosed as **Annexure-II**
3.	The Chief Secretary certificate for non-availability of the non-forest land for compensatory afforestation as the CA site has been identified in Reserve Forest.	In Arunachal Pradesh there is special provision for raising CA plantation in degraded USF as per 2.4 clarification, clause (ii) of Handbook of guideline issued by MoEF vide F.No. 5-2/2017-FC dtd 28.03.2019.
4.	State Govt is to conduct site inspection of the proposed alternate CA area i.e., 40 ha by an officer not below the rank of Conservator of Forest and report to be submitted mentioning vegetation and forest cover density with photographs of the inspecting officer taken at the site, or else, an alternate CA site to be submitted along SOI maps, site suitability certificate, GPS-coordinates, shape file etc. as the identified CA area comprises of 29.429 ha very dense forest and 10.428 ha moderately dense forest as per the DSS.	An alternate CA site in two plots along SOI maps with GPS-coordinates, site suitability certificate, shape file is submitted and placed **as Annexure III, Annexure-II and Annexure-IV.**
5.	State Govt to provide the current status of OA No.25/2023 filed before Hon'ble National Green Tribunal, Eastern Bench at Kolkata.	The case is pending before NGT Kolkata, Next date of hearing is 26.07.2023

Enclosed: As stated above

Yours faithfully,

26.07.2023

(K. B. Singh)
Addl. PCCF & Nodal Officer (FCA)

Copy to:

1. The Deputy Commissioner, Namsai District, Govt. of Arunachal Pradesh for information.
2. The Chief Conservator of Forests, EAC, Tezu for information.
3. The Divisional Forest Officer, Namsai Forest Division, Namsai for information.

(K. B. Singh)
Addl. PCCF & Nodal Officer (FCA)

Annexure - I

Annexure 'A'

GOVT. OF ARUNACHAL PRADESH
OFFICE OF THE CHIEF CONSERVATOR OF FORESTS
EASTERN ARUNACHAL CIRCLE: TEZU

No. EAC/CONS-9/2020/ 2043-44

Dt: 13.07.2023

14.7.23
DCF (Cons)

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

Sub: Proposal for diversion of 19.52 Ha for Golden Pagoda

Ref: 1. FOR.14/Cons/2020/3898-4000 dt. 13.7.2023
2. EAC/Cons-9/2020/1992-93 dt. 11.7.2023
3. EAC/Cons-9/2020/1597-99 dt. 11.6.2023
4. EAC/Cons-9/2020/934-35 dt. 30.3.2023

Sir,

Please refer this office letters dated 30.3.2023, 11.6.2023 and 11.7.2023 furnishing detailed information from time to time as asked. The letter dt. 13.7.2023 (SN 1) does not reflect this office letter dt. 11.7.2023 (SN 2) (sent on email and whatsapp also on the same day) where it was informed that information on alternate CA area and suitability certificate etc against SN 2 & 4 will be sent on receipt from DFO Namsai, shortly.

Now this is to forward the alternate CA map in SoI sheet, Kml file, suitability certificate etc of CA site in two plots of 20 Ha each in Tengapani RF as submitted by DFO Namsai vide No. AND/66/2019/Tech/3890-91 dt. 12.7.2023 against SN 2 and 3.

As regards details on the progress outcome on the offence report, it is to mention that it has already clearly been mentioned in your letter No. FOR.14/Cons/2020/2434-37 dt. 26.4.2023 that the Executive Magistrate in 2018 had informed that they were no longer empowered to take up any trial cases and should be forwarded to the nearest court having jurisdiction while the Court of CJM, Roing in 2017 had informed that there was no notification issued to this effect by Govt of Arunachal Pradesh. It has also been mentioned in your said letter that there was no communication from Executive Magistrate, Namsai between 2005 to 2014 and from Hon'ble Court of Judicial Magistrate, 1st Class, Namsai from 2018 to 2022. Therefore, there is no progress in the case and the matter is apparently still subjudice while any further progress outcome on the offence report is neither available in this office records nor anything further has been informed by Executive Magistrate or the Court of CJM, Roing or Court of Judicial Magistrate, 1st Class, Namsai to this office.

Since the complete action taken report in format as per Para 1.21 of Handbook of FCA, 1980 invoking the ex-post facto penal provisions over entire 19.8 Ha as drawn by DFO Namsai had also already been submitted vide letter dt. 11.6.2023 along with reply against SN 1-5, therefore it is proposed that the reply to the five-point clarification dt. 16.5.2023 of IRO Guwahati, may kindly be submitted early as 2 months have already elapsed since 16.5.2023.

Here, it will not be out of place to mention that the reply to initial four-point clarification dt. 22.6.2022 of IRO Guwahati took 10 months for submission vide letter No. FOR.14/Cons/2020/2434-37 dt. 26.4.2023.

Therefore, any further clarification, if and when asked by IRO Guwahati, will be obtained from DFO Namsai and submitted, as and when required.

Enclosures:
CA map in SoI sheet, Kml file,
suitability certificate etc

Yours faithfully

Chief Conservator of Forest
Eastern Circle, Tezu.

Copy to:
The DFO Namsai Forest Division wrt his No. AND/66/2019/Tech/3890-91 dt. 12.7.2023 for information.

Chief Conservator of Forest
Eastern Circle, Tezu.

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE CHIEF CONSERVATOR OF FORESTS
EASTERN ARUNACHAL CIRCLE, TEZU
easternccf@gmail.com

No. EAC/Cons-9/2020/1597-99 Dated Tezu the 11th June/ 2023

To,

The APCCF & NO (FCA),
O/o PCCF Itanagar

OFFICE OF THE PRINCIPAL C.E.F. ★ A.P. ITANAGAR ★ No. 1314 Date 15.6.23

Sub: IRO observation's reply on diversion proposal of 19.5 Ha Golden Pagoda.
Ref: F. No.3 AN C/081/2022/GHY/3954-55 dt. 16.05.2023.
Sir,

No reply/ clarification has yet been sought from your office on the EDS raised by IRO Guwahati vide his letter F. No.3 AN C/081/2022/GHY/3954-55 dt. 16.05.2023 on the above subject. However, the DFO Namsai vide his No. AND/ 66/2019/Tech/3309 dt. 9.6.2023 has submitted point wise reply against IRO Gauhati observation letter dt. 16.5.2023 mentioned under reference which is being forwarded herewith with necessary comments of this office.

As regards 5 O/Rs drawn by DFO Namsai, it has been clarified that offence reports mentioned at SN (a) 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 was forwarded by DFO Namsai to ADC Namsai for trial/ prosecution vide No. AND/16/2001/3478-79 dt. 23.3.2005. Much later, another O/R dt. 19.4.2018, mentioned at SN (c) 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.

The other three O/Rs dt. 3.3.2017, 22.12.2017 and 23.12.2018 mentioned at SN (b), (d) and (e) of IRO letter are not connected with the offences carried out in 19.5 Ha area under context but relates to some other offences detected by ROs during their routine course of duty. Since these 3 O/Rs were un-related to the case so these were neither mentioned by DFO Namsai nor by this office in any of the earlier correspondences/ clarifications. But since their cross reference was found by NO (FCA) Itanagar in some of the letters of Court so it was insisted by NO (FCA) that their copy be sent to him. A chronological sequence is given below.

(i) The IRO Gauhati had initially asked 4 point clarification vide letter F. No.3 ANC/081/2022-GHY/2584-85 dt. **22.6.2022.**
(ii) It was furnished by DFO Namsai vide his letter dt. 8.12.2022 which was forwarded to NO (FCA) vide this office No. EAC/Cons-9/2020/3727-28 dt. 13.12.2022.
(iii) However, the clarification could not reach IRO Gauhati as certain related clarification was asked by NO (FCA) vide No. For.14/Cons/2020/43-44 dt. 2.1.2023.
(iv) The same was submitted to NO (FCA) Itanagar by DFO Namsai vide No. AND/66/ 2019/Tech/211 dt 19.1.2023.
(v) NO (FCA) returned the same vide No. For.14/Cons/2020/702-703 dt. 27.2.2023 for submission through CCF.
(vi) The reply dt. 19.1.2023 of DFO Namsai was forwarded by CCF Tezu with comments vide No. EAC/Cons-09/2020/590-91 dt. 10.3.2023.
(vii) It was again reminded to NO (FCA) Itanagar vide No. EAC/Cons-09/2020/934-35 dt. 30.3.2023 that the original queries raised by IRO Gauhati vide letter dt. 22.6.2022 had to be furnished.
(viii) The NO (FCA) asked for related documents vide No. FOR. 14/Cons/ 2020/ 2423-24 dt. 25.4.2023.
(ix) These were supplied and then the reply to IRO letter **dt. 22.6.2022** (SN1) was

concerned ROs during their routine course of duties. The details on progress outcome on the offence reports has already been furnished vide SN (vi) and (vii) above and the same is not being repeated for the sake of brevity. The DFO Namsai has also enclosed the violation report in format as per Para 1.21 invoking the ex post facto penal provisions over the entire 19.52 Ha.

SN 1 – It has been clarified 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 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.

However, as regards action initiated against Forest Department officials for any lapse, it will not be out of context to mention that as per this office old records, 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 perhaps submitted its report to APCCF (RE) on 8.9.2015.

Further, as per this office records, it is seen 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 the then DFO Namsai was perhaps charge sheeted in the matter of large scale encroachment in Namsai Forest Division.

SN 2 and 4 – The DFO Namsai has informed that an alternate CA site with suitability report will be submitted by him shortly.

SN 3 – DFO Namsai reply may please be referred.

SN 5 – As per decision in the meeting on 25.3.2023, an affidavit has already been filed by DC Namsai on behalf of respondents No. ,3,5,6,7,8, & 9 which had been forwarded to you vide email dt. 28.4.2023. As desired in the meeting on 22.5.2023 and letter No. FOR.195/Cons/2023/ 3023-24 dt. 29.5.2023, a detailed para wise reply/ comment on behalf of Forest Department has been submitted by DFO Namsai on 9.6.2023 which has been forwarded to NO FCA vide No. EAC/ Cons-359/2023/1594-96 dt. 10.6.2023. The case has not yet come up for hearing but has been deferred twice for submission of replies by respondents. The NDoH is 26.7.2023.

It is proposed to kindly process the enclosed DFO Namsai reply dt. 9.6.2023 in the light of above additional provided information so that the reply to IRO letter dt. 16.5.2023 can be furnished within reasonable time. It is also proposed that any further document, if required, be sought from DFO Namsai directly to save time who is custodian for related documents. In the mean time, the information against SN 2 & 4 is being submitted shortly on receipt from DFO.

Enclosures: As mentioned above

Yours Faithfully

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

Copy to:

1. The PCCF, Itanagar for information

Fet 10/6/23

(254)

Annexure 'C'

GOVT. OF ARUNACHAL PRADESH
OFFICE OF THE DIVISIONAL FOREST OFFICER
NAMSAI FOREST DIVISION :: NAMSAI

Memo No. AND/66/2019/Tech/3309 Dated NAMSAI the 09th June, 2023

To

The Chief Conservator of Forests
Eastern Arunachal Circle, Tezu

Sub: Proposal for diversion of 19.52 ha. Of forest land for establishment of Golden Pagoda at Namsai - Reg.

Ref: i) F. No.3 AN C/081/2022/GHY/3954-55 Dtd. 16.05.2023.

Sir,

In pursuance of the above cited letter under reference, I am furnishing herewith the following information/parawise reply against letter no. mentioned under reference.

The pointwise information/documents is being furnished in tabulated manner against the observation in the backdrop of Forest Conservation Act' 1980.

SN	OBSERVATION	INFORMATION
	a) No. MBR/01/2004-05 dated 10.02.2005 under section 25(a) of Assam Forest Regulation Act, 1891 against Shri Shiv Shankar Dutta, C/o Arunachal Trade Agencies, Namsai by the Range forest Officer, Manabhum Forest Range	The Offence was first detected on 10.02.2005, and offence Report was immediately drawn by Range Forest Officer, Manabhum Forest Range, Lathao vide O.R. No. MBR/01 of 2004-05 dtd. 10.02.2005, and so there is delay in detection of offence by the State Forest department. As regards action initiated against forest deptt. officials, it is to mention that since the Offence Report was drawn by the RFO under Section AFR 25(A) and forwarded by the then Divisional Forest Officer, Namsai Forest Division, Namsai to Hon'ble Court for trial. So, there is no question of lapse by

		officials of State Forest department.
	b) No. MBR/03/2016-17 dated 03.03.2017 under F(C') Act, 1980 and Assam Forest Regulation Act, 1891 & V/S 72(P) subrule (2) against Shri Ranjan Modi C/o Chow SanyokHupak, Namsai by the Range Forest Officer, Manabhum Forest Range, Lathao	This Offence Report is not related with Golden Pagoda. It is approximately 3 Km away from Golden Pagoda site.
	c) No. MBR/01/2018-19 dated 19.04.2018 under section 25(a) of Assam Forest Regulation Act, 1891 & under 2(ii) & 2(iii) of F(C') Act, 1980 against EE, PWD Division, Namsai by the Range Officer, Manabhum Forest Range.	This Offence Report was again drawn by RFO, Manabhum against EE, PWD, Namsai within the already encroached area of 19.52 hect. for Construction of Pucca road.
	d) No. MBR/04/2017-18 dated 22.12.2017 under section 25(a) of Assam Forest Regulation Act, 1891 against Chow TungpulaHopak, Namsai by the Range forest Officer, Manabhum Forest Range.	This Offence Report is not related with Golden Pagoda. It is approximately 4 Km away from Golden Pagoda site.
	e) No. TP/03/2017-18 dated 23.02.2018 under section 25(a) of Assam Forest Regulation Act, 1891 &under 2(ii) & 2(iii) of F(C') Act, 1980 against Shri Korme& 10 others, by the Range forest Officer, Tengapani Forest Range	This Offence Report is not related with Golden Pagoda. It is approximately 11 Km away from Golden Pagoda site.
1.	To clarify the delay in detection of offence by the State Forest Department and the action	The Offence was first detected on 10.02.2005, and offence Report was immediately drawn by Range Forest

	initiated against the Forest Department officials for the lapse	Officer, Manabhum Forest Range, Lathao vide O.R. No. MBR/01 of 2004-05 dtd. 10.02.2005, and so there is delay in detection of offence by the State Forest department. As regards action initiated against forest deptt. officials, it is to mention that since the Offence Report was drawn by the RFO under Section AFR 25(A) and forwarded by the then Divisional Forest Officer, Namsai Forest Division, Namsai to Hon'ble Court for trial. So, there is no question of lapse by officials of State Forest department.
2.	The site suitability of the alternate CA site identified under Tengapani Reserved Forest	The site suitability of the alternate CA site of 40 Hect. in TRF is being forwarded separately
3.	The Chief Secretary for non-availability of the non-forest land for compensatory afforestation as CA site has been identified in Reserved Forest.	The non-availability of the non-forest land for compensatory afforestation may kindly be obtained. In a similar case for diversion of land for Dibang Multipurpose Project by NHPC for 1000 Ha. of CA area was identified in Tengapani RF which was approved by IRO, Shillong earlier
4.	State Govt. is to conduct site inspection of the proposed alternate CA area i.e. 40 Hect. by an Officer not below the rank of Conservator of Forest and report to be submitted along SOI maps, site suitability certificate, GPS Co-ordinates, shape file etc. as the identified CA area comprises of 29.429 hect. very dense forest and 10.428 hect. of moderately	The Site inspection of the proposed alternate CA area i.e. 40 Hect. shall be submitted separately shortly

	dense forest asper the DSS	
5.	State Govt. to provide the current status of OA No. 25/2023 filed before Hon'ble National Green Tribunal, Eastern bench at Kolkata.	Affidavit on behalf of respondent no. 2, 3, 5, 6, 7, 8 & 9 has been submitted by DC, Namsai through the advocate engaged for the purpose. Next date of hearing is on 26th July 2023.

This is for favour of your information and necessary action please.

Yours faithfully,

Divisional Forest Officer
Namsai Forest Division
Namsai

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 – LathaoCompartment 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 2nd 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.
0.	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
	oposheet of survey of India Map of site with relevant details (either ired photograph or on a tracing	:-	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

Annexure - II

Annexn 'D'

GOVT. OF ARUNACHAL PRADESH
OFFICE OF THE DIVISIONAL FOREST OFFICER
NAMSAI FOREST DIVISION::NAMSAI

Suitability Certificate

This is to certify that the Compensatory Afforestation area of 40 Ha identified under Tengapani Reserve Forest having following geo-coordinates is suitable from plantation and management point of view.
The area identified for is also free from encroachment and other encumbrances.

Plot-I (20 Ha)

GEP-REF

SL	LAT			LONG		
1	27	38	4.834	96	3	6.995
2	27	38	25.102	96	3	24.577
3	27	38	36.964	96	3	28.181
4	27	38	39.401	96	3	32.098
5	27	38	37.763	96	3	35.442
6	27	38	26.509	96	3	31.687
7	27	38	23.244	96	3	30.402
8	27	38	6.209	96	3	27.162
9	27	38	1.615	96	3	29.264
10	27	38	0.085	96	3	34.902
11	27	37	56.748	96	3	38.786
12	27	37	53.926	96	3	43.934
13	27	37	55.038	96	3	49.342
14	27	37	45.872	96	3	53.172
15	27	37	43.705	96	3	50.602
16	27	37	48.702	96	3	45.130
17	27	37	51.672	96	3	26.539
18	27	37	50.455	96	3	20.293
19	27	37	49.991	96	3	10.656
20	27	37	54.818	96	3	7.456

Plot-II (20 Ha)

GEP-REF

SL	LAT			LONG		
1	27	37	0.520	96	3	4.018
2	27	37	1.758	96	3	9.443
3	27	37	4.138	96	3	11.189
4	27	37	6.971	96	3	12.154
5	27	37	8.119	96	3	9.464
6	27	37	9.610	96	3	10.987
7	27	37	9.736	96	3	13.208
8	27	37	10.466	96	3	18.007
9	27	37	11.323	96	3	19.012
10	27	37	9.181	96	3	23.148
11	27	37	10.038	96	3	26.766
12	27	37	7.082	96	3	27.382
13	27	37	4.206	96	3	26.042
14	27	37	3.500	96	3	30.730
15	27	36	59.573	96	3	31.266
16	27	36	58.997	96	3	28.433
17	27	36	57.866	96	3	27.176
18	27	36	55.429	96	3	27.457
19	27	36	53.939	96	3	32.375
20	27	36	51.894	96	3	33.790
21	27	36	50.299	96	3	23.432
22	27	36	49.684	96	3	14.900
23	27	36	51.160	96	3	12.596
24	27	36	52.844	96	3	15.718
25	27	36	53.208	96	3	15.631
26	27	36	53.683	96	3	13.741
27	27	36	56.480	96	3	14.328
28	27	36	57.539	96	3	9.868

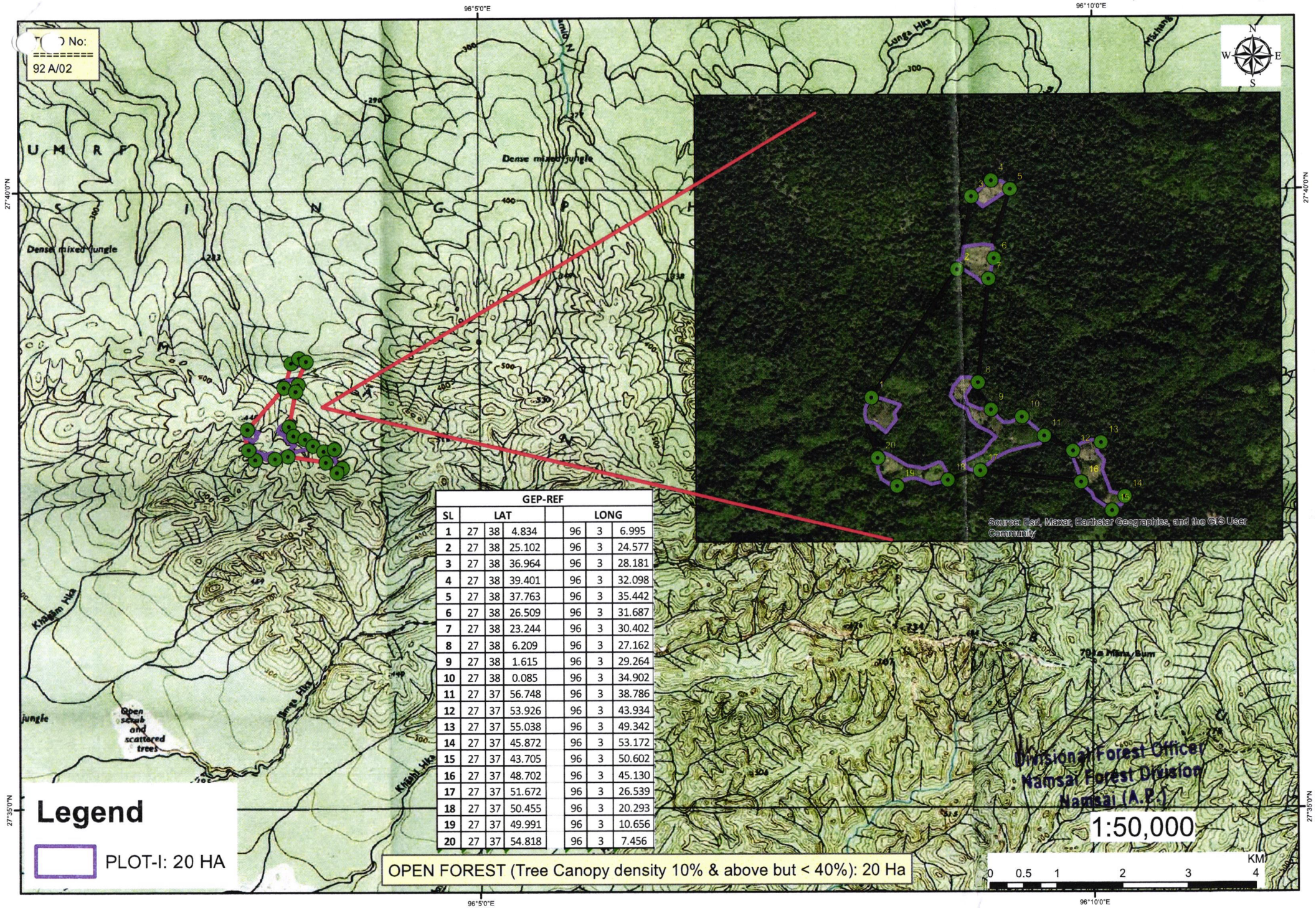
(T. Jamoh) APFS
Divisional Forest Officer
Namsai Forest Division,
Namsai.

Date: 12/7/23

Place: Namsai

Annexure - III
Annexure I

MAP OF PROPOSED CA AREA (PLOT-I) AGAINST GOLDEN PAGODA, NAMSAI

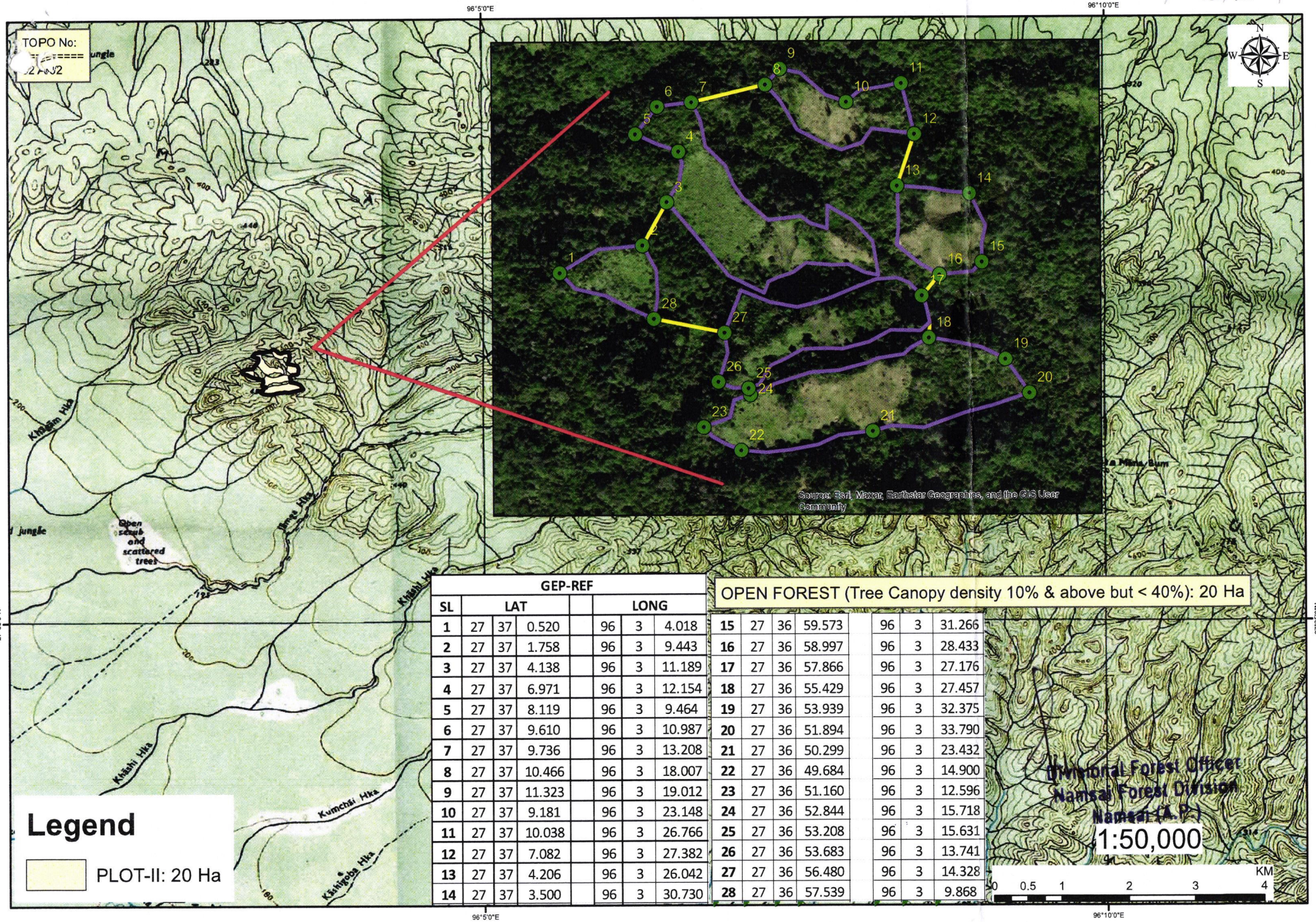


GEP-REF							
SL	LAT				LONG		
1	27	38	4.834		96	3	6.995
2	27	38	25.102		96	3	24.577
3	27	38	36.964		96	3	28.181
4	27	38	39.401		96	3	32.098
5	27	38	37.763		96	3	35.442
6	27	38	26.509		96	3	31.687
7	27	38	23.244		96	3	30.402
8	27	38	6.209		96	3	27.162
9	27	38	1.615		96	3	29.264
10	27	38	0.085		96	3	34.902
11	27	37	56.748		96	3	38.786
12	27	37	53.926		96	3	43.934
13	27	37	55.038		96	3	49.342
14	27	37	45.872		96	3	53.172
15	27	37	43.705		96	3	50.602
16	27	37	48.702		96	3	45.130
17	27	37	51.672		96	3	26.539
18	27	37	50.455		96	3	20.293
19	27	37	49.991		96	3	10.656
20	27	37	54.818		96	3	7.456

Annexure - III

Annexure 'F'

MAP OF PROPOSED CA AREA (PLOT-II) AGAINST GOLDEN PAGODA, NAMSAI



GEP-REF							
SL	LAT				LONG		
1	27	37	0.520		96	3	4.018
2	27	37	1.758		96	3	9.443
3	27	37	4.138		96	3	11.189
4	27	37	6.971		96	3	12.154
5	27	37	8.119		96	3	9.464
6	27	37	9.610		96	3	10.987
7	27	37	9.736		96	3	13.208
8	27	37	10.466		96	3	18.007
9	27	37	11.323		96	3	19.012
10	27	37	9.181		96	3	23.148
11	27	37	10.038		96	3	26.766
12	27	37	7.082		96	3	27.382
13	27	37	4.206		96	3	26.042
14	27	37	3.500		96	3	30.730
15	27	36	59.573		96	3	31.266
16	27	36	58.997		96	3	28.433
17	27	36	57.866		96	3	27.176
18	27	36	55.429		96	3	27.457
19	27	36	53.939		96	3	32.375
20	27	36	51.894		96	3	33.790
21	27	36	50.299		96	3	23.432
22	27	36	49.684		96	3	14.900
23	27	36	51.160		96	3	12.596
24	27	36	52.844		96	3	15.718
25	27	36	53.208		96	3	15.631
26	27	36	53.683		96	3	13.741
27	27	36	56.480		96	3	14.328
28	27	36	57.539		96	3	9.868

OPEN FOREST (Tree Canopy density 10% & above but < 40%): 20 Ha

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