

GOVERNMENT OF ARUNACHAL PRADESH
DEPARTMENT OF ENVIRONMENT, FORESTS & CLIMATE CHANGE,
ITANAGAR-791111.

No.FOR.14. Cons/2020 /2434-37

Itanagar, dated, the 26th April' 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/2584-2585 dated 22.06.2022.

Madam,

In pursuance to above letter under reference, I am furnishing herewith point wise details query sought by the Ministry in respect of 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:

SLNo.	OBSERVATION	REPLY
(i)	What action has been taken by the State Forest Department under (FC) Act' 1980, Hon'ble Supreme Court order 1996 (Godavarman case). State Govt. to furnish the detail action taken report in the chronological order of the events.	Year 2005: An offence report bearing No. MBR/01/2004-05 dated. 10.02.2005 was drawn under section 25 (a) of Assam Forest Regulation, 1891 against one named Shri Shiv Shankar Dutta, C/o Arunachal Trade Agencies, Namsai by the Range Officer Manabhum Forest Range. The offence report was submitted to office of Addl. Deputy Commissioner cum Executive Magistrate Namsai. (The copy of offence report is enclosed as Annexure-I) Year 2005 to 2014: There is no record of action or communication from the then Executive Magistrate, Namsai. Year 2014: Namsai District was bifurcated from Lohit District. Year 2017: Court of Hon'ble Chief Judicial Magistrate cum Civil Judge (Sr) Division, Roing has not taken cognizance upon the complaint under Assam Forest Regulation Act,1891 stating that there is no such

		notification issued/notified to this effect by the Govt. of Arunachal Pradesh. (Copy of order sheet for magistrate record is enclosed as Annexure-II). Year 2018: The office received letter from the Circle Officer cum Executive Magistrate, Lathao stating that as per Govt. of Arunachal Pradesh notification No. Jud/Law-32/2011 Dated 03.12.2015, the Executive Magistrate is no longer empowered to take up any trial cases and the same should be forwarded to the nearest court having jurisdiction. Copy of letter are enclosed as Annexure-III. Year 2018-2022: There is no correspondence from the Hon'ble Court of Judicial Magistrate 1st class, Namsai. Since, Range Officer Manabhum had apparently taken action and drawn offence report against offender found in the spot in 2005. No, action was initiated against the official of forest department of that time.
(ii)	The comment of the State Govt, as the proposed area is "INVIOLATE" due to the presence of the "hydrological" layer area as per the DSS report.	Tengapani river is flowing adjacent to Pagoda recharges the equates of the area around the proposed site. Thus, the structure doesn't have any adverse impact to the hydrological layers and water table of the area.
(iii)	The identified 39.04 ha compensatory afforestation area comprises of 1.93 very dense forest, 26.35 ha moderately dense forest and 11.69 ha non – forest land (land without forest cover) as per the DSS report, therefore a site visit is to be conducted by an officer not below the rank of Conservator of Forest specially for the area falling under VDF and MDF and thereafter a details report on the vegetation density of the forest cover along with the photographs of the inspected officer taken during the site visit is to be submitted or else on alternate CA site is to be submitted along with Sol maps, shape file, GPS coordination etc.	The site selection for compensatory afforestation was carried out almost 3 years ago and area was selected after ground truthing. Now, the perceived undergrowth can be due to the natural regeneration in the forest floor as the site falls in the Sub tropical evergreen forest characterized by high humidity and incessant rainfall. Therefore, alternate Compensatory Afforestation (CA) area has been identified under Tengapani Reserve Forest. The Toposheet of the CA area is enclosed for ready reference as Annexure-IV
(iv)	To upload this instant proposal completely on Parivesh portal as the current status in the portal is indicating as pending at "DFO/DCF level".	Uploaded.

It is to further inform that OA No. 25/2023 has also been filed before Hon'ble NGT, Eastern Bench at Kolkata. Hon'ble Tribunal vide its order dated 16.03.2023 directed that till next date of listing (19.04.2023) there shall be a stay on all construction activities within Namsai Forest area in question, which includes the above proposed site also.

In light of above, it is requested for early consideration and issue necessary formal approval for diversion of 19.52 ha forest land for establishment of Golden Pagoda under Section-2 of the Forest (Conservation) Act'1980.

Enclosed: as stated above

Yours faithfully,

Handwritten signature and date
26.04.23

(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)

Forest Department, Arunachal Pradesh

Namsai Forest Division

OFFENCE REPORT NO. MSA/01/2004-05 Dated 10/02/2005Manathum Forest { REVENUE STATION.
RANGELathou

NATURE OF THE OFFENCE

Illegal encroachment in M.F. Comp. No. 66 and 67
for construction of Budha mandir for pujaDate and hour of detection 10/02/2005 at about 10 AMPlace of occurrence Left side of Jhara Range in Comp. No. 66 and 67.By whom detected Staff of Manathum Range.REFERENCE TO SECTIONS OF THE FOREST ACT AND INDIAN PENAL
Code 1900 25 (a) (i) Sub rule 2 V.P. No. 9
Assam Forest Act 1891
(To be filled in by the Divisional Forest Officer)for
a)

NAMES OF ACCUSED

Name	Father's Name	Place of Residence		
		Village	Thana	District
<u>Shri Shiv Sankar</u> <u>Deka of Namsai</u>	<u>Go Arunachal</u> <u>Trade & Agency</u> <u>Namsai</u>	<u>Namsai</u>	<u>Namsai</u>	<u>Lohit</u> <u>(D.P.)</u>

NAMES OF WITNESSES

① <u>Shri T.S. Verma F.I.</u>	} <u>clo Range forest office</u> <u>Manathum Forest Range</u> <u>Lathou.</u>	} <u>Revenue</u> <u>Prashant</u>
② <u>" P. Mangali F.I.</u>		
③ <u>" S. Nakey F.W.</u>		
④ <u>" R. B. Parli P.S.</u>		
⑤ <u>" S. Mahanta P.S.</u>		

(Full Report of facts overleaf)

GOVERNMENT OF ARUNACHAL PRADESH
 FOREST DEPARTMENT
 (APPENDIX X)
 APPLICATION FOR ISSUE OF PROCESS

The OFFICER-IN-CHARGE,

Manabhan Forest GE.
 Lalong

THE DEPUTY COMMISSIONER
 POLITICAL OFFICER

Dated 10/7/2005

No. M.S.P./2000/P-11/ 27-20

Sir,

Whereas the marginally-noted persons have committed the offences specified in the accompanying offence report of this station, and whereas the facts can be proved by the evidence of the witnesses named therein, I have the honour to request, that the court will issue process against the accused and try the case under such sections of the Indian Penal Code, or of the Indian Forest Act or both, as it may deem applicable.

As per offences statement enclosed.

Yours faithfully,

Manabhan
 Manabhan Range
 Lalong

Conservator of Forest-in-Charge

Forwarded through the
 Division.

Signature

Arunachal Printers : 165/91-93-30,000-2-92

S. Mahanta (52)

(Full Report of facts overleaf)

FULL REPORT OF ALL THE FACTS IN DETAIL.

(To be framed not later than the day after the occurrence)

While carrying out patrolling in MAF near Tengafari found that in comp# No. 66 and 67 approx. 15.0 Huh area have been cleared and labours were being engaged by Shri Shiv Sankar Dutta of Namini C/o. Associated Trade Agency. An enquiry Shri Shiv Sankar Dutta revealed that he has engaged labours on behalf of Tai Khambi Heritage Society for the renovation of old Buddhist Temple which is a very much sacred and of utmost religious importance to the Tai Khambi Society as for the predication of Buddhist monks of very high Order.

Shri Dutta was asked to stop the work immediately as the area falls with R.F.

Since it is an offence under section 23(1) of Assam Forest Regulation Act 1891 Case may be initiated against the offender and Tai Khambi Heritage Society may be directed to maintain status quo till finalization of case.


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

Forest Department, Arunachal Pradesh

Namoi Forest DIVISION

OFFENCE REPORT NO. MBR/1/2004-2005

Dated 10/02/2005

Mamabhum Forest {REVENUE STATION.
RANGE.

Memo No. MBR/14/2004/P.R/25-26

Dated 10/02/2005

Forwarded to the Conservator of Forests,

Division, with a copy of the Seizure

Report and an application for issue of process.

Mamabhum Forest Range
Range
Lathow.

(MBR/14/2004/P.R/25-26) Memo No. _____
Dated _____

Forwarded to the _____ Magistrate
Commissioner

of _____ with an application for issue

of process, and the following documents _____

Conservator of Forests.

In-charge _____ Division.

STATEMENT OF THE ACCUSED

I Shri Shiv Sankar Sethi C/o Arunachal Trade Agents
 of Namsai here by states that I am only a supervising
 Agent of Labour on behalf of Tai Khomti Heritage Park.
 I shall make available to give my statement as and when
 asked by any officer of the Forest Officer/Police Officer
 or any Court here.

Shiv Sankar Sethi

(Shiv Sankar Sethi)

GOVT. OF ARUNACHAL PRADESH
OFFICE OF THE DIVISIONAL FOREST OFFICER
NAMSAL FOREST DIVN. NAMSAL
///

NO. AND/16/2001/3478-79
To,

Dtd. Namsal the 23 th 3 /2005.

The Addl. Deputy Commissioner,
Namsal.

Sub: Sending of offence report No. MBR/01 of 2004-05
dtd. 10.2.2005.

Sir,

I am sending herewith the aforesaid offence report drawn in favour of Shri Shiv Sankar Dutta, Namsal C/O Arunachal Trade & Agency, Namsal in connection with illegal encroachment in the left side of Tengapani Range in comptt. No. 66 and 67 under Manabhum RF for construction of Buddha Mandir. The offence drawn under section 25(a) of Forest Conservation Act, 1980 and Sub. rule-II Vol. VII of Assam Forest Regulation Act, 1891 for further prosecution from your end please.

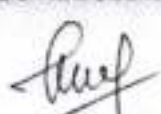
Enclo:-As above.

Yours faithfully,

Copy to:-

(T. PERTIN)
DIVISIONAL FOREST OFFICER
NAMSAL FOREST DIVN. NAMSAL

The Range officer, Manabhum for information and necessary action.


(T. PERTIN)
DIVISIONAL FOREST OFFICER
NAMSAL FOREST DIVN. NAMSAL
///

GOVERNMENT OF ARUNACHAL PRADESH
FOREST DEPARTMENT
 (APPENDIX X)

APPLICATION FOR ISSUE OF PROCESS

OFFICER-IN-CHARGE,

Manabhum Forest RANGE,

Divisional Forest Officer
 DEPUTY COMMISSIONER

THE POLITICAL OFFICER

Receipt No. 494
 Date: 9/3/02
 O/o THE D. F. O. NATHU

Dated 03/3/20/79

MBR/03 of 2014-17

Whereas the marginally-noted persons have committed the offences specified in the accompanying offence report of this station, and whereas the facts can be proved by the evidence of the witnesses named therein. I have the honour to request, that the court will issue process against the accused and try the case under such sections of the Indian Penal Code, or of the Indian Forest Act or both, as it may deem applicable Assam Forest Regulation Act 1891 W.S. 72 (P) subrule (2) & Forest Conservation Act 1980

Yours faithfully,

Officer-in-Charge

Range Forest Officer
 Manabhum Forest Range

D. F. O. Namsai Forest Division (A.P.)
 Conservator of Forest-in-Charge

Forwarded through the

Signature

Forest Department, Arunachal Pradesh.

(22)

Namrai Forest DIVISION

W.O. No. 108R/03 of 2016-17. Dated 03/3/2017

Manabhum Forest Range. REVENUE STATION RANGE

NATURE OF THE OFFENCE

of Jungle inside Manabhum Reserve Forest for

on 03/3/2017 10.30 Am.

Mangroves area under Manabhum Reserve Forest Range Forest Officer & Staff of Manabhum Forest Range.

REFERENCE TO SECTIONS OF THE Forest Conservation Act 1980 AND INDIAN PENAL CODE
ASSAM FOREST REGULATION Act 1891 u/s 72 (P) Sub ml (2)

(To be filled in by the Divisional Forest Officer)

NAME OF ACCUSED

NAME	FATHER'S Name	place of residence		
		Village	Thana	District.
Ep. Mod	dt. Mahesh Modi	Ep. Chow Sumyok Stupak Solangto village. P.O. Kottan P.S. Namai Dist. - Namai Arunachal Pradesh	Namai	Namai

NAMES OF WITNESSES

Resident under P.O. Modak J. 2/18.	Manabhum Forest Range	R.O. Manabhum Forest Range A.O. of Manabhum Forest Range	
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Full Report of Facts connected

FULL REPORT OF ALL THE FACTS IN DETAIL.

(To be framed not later than the day after the occurrence)

While performing regular joint patrolling with police personnel at Manabhum Reserve Forest on 03/3/2017 at 10.30 AM at Manabhum area, Sri Rangan Nodi was caught while clearing the forest for encroachment purposes. He had cleared approx. 10.00 Hect and cleared pole size trees (Nahan) and Jeng leaves. A dao was seized.

Particulars

- (i) Area cleared for encroachment
Approximately 10.00 Hect.
- (ii) 1 (one) no. Dao Seized.


S. D. Forest Officer
Manabhum Reserve Forest
Gadchiroli (A.P.)

Forest Department, Arunachal Pradesh.

Name: Krist

DIVISION.

OFFENCE REPORT NO. MGR/03 of 2016-17

Dated 03/03/2017

Marmarthum Forest RangeREVENUE STATION
RANGE

Memo No. MGR/61/2005+06/528

Dated 02/01/17

Forwarded to the Divisional Forest Officer Conservator of Forest

Name: Fritz

Division, with a copy of the Seizure Report.

and an application for issue of process.

Officer-in-charge

Business Office
Production and Release
Editor (A.P.)

Revenue Station
Range

Memo No. AND/18/2015/PG/1764

Dated 25/03/2012

Forwarded to the Circle Officer, Lathas Army Circle Magistrate

Namsai Dist. Arunachal Pradesh

Comm 33 2nd ed.

of _____ with an application for issue

of Process, and the following documents: Form NO. 23 (Application for Issue of Process) Statement of accused for favour of conduct an early trial please.

✓ sender of message

SCHEDULE VII FORM NO.127
PART CRIMINAL FORM NO. (N)

ORDER SHEET FOR MAGISTRATE RECORDS.

IN THE COURT OF CHIEF JUDICIAL MAGISTRATE-CUM-CIVIL JUDGE (Sr.)
DIVISION, LOWER DIANG VALLEY DISTRICT ROING (A.P.)
PRESIDING OFFICER: MR. TAGE VALLEY, APJS
State of A.P.

Receipt

Date: 17/9/18

On The 17.09.2018

O. Namsai

166

Case No.

Section: 25 (a) of AFR Act, 1891

Sec. 2 (ii) & (iii) of FC Act, 1980

DATE

29/08/2017

Seen the complaint filed by the of DFO, Namsai Forest Division, Namsai for issue of process to accused Executive Engineer, PWD, Namsai Division in connection with Offence Report No. MBR/01 of 2018-19 dated 19/04/2018 U/S 25 (a) of Assam Forest Regulation Act, 1891 and U/S 2 (ii) (iii) of Forest conservation Act, 1980 for trial under law.

It is pertinent to mention here that as per section 3 (9) of Assam Forest Regulation, 1891 and section 67 of Indian Forest Act, 1927, any forest offence punishable with imprisonment for a term for not exceeding six months or fine not exceeding Rs. 500/- or both could be tried summarily under the Code of Criminal Procedure/Cr.PC by the District Magistrate or any Magistrate of First Class or Second Class or Third Class specially empowered in this behalf by the State Government through notification. However, no such notification has been issued/notified to this effect by the Govt. of Arunachal Pradesh till date. As such, this court, being not empowered or lacking the power and jurisdiction for taking cognizance upon the complaint, cannot take up the instant case.

In view of above, DFO, Namsai Forest Division/Inquiry Officer/Complainant may like to satisfy this court with the notification issued by the Government of AP to proceed with the case as per law. Accordingly, copies of complaint and its enclosure shall be sent back to DFO, Namsai Forest Division, Namsai for necessary action.

Certified to be true Copy

(Signature)
H. Prithi Lego, Sheristadar
Court of Chief Judicial Magistrate
-cum-
Civil Judge (Sr.) Division, Roing

CHIEF JUDICIAL MAGISTRATE
(Sr.) Division, Roing
CIVIL JUDGE (Sr.) DIVN
LOWER DIANG VALLEY DIST.
ROING

GOVERNMENT OF ARUNACHAL PRADESH
FOREST DEPARTMENT
 (APPENDIX X)

APPLICATION FOR ISSUE OF PROCESS

13k

The OFFICER-IN-CHARGE,

MANABHUM RANGE, LATHAO.

To
 THE DEPUTY COMMISSIONER
 Namsai Forest Officer

POLITICAL OFFICER

Namsai Forest Officer

No. MBR/01 of 2018-19

Dated 19/4/18 199

Sir,

Whereas the marginally-noted persons have committed the offences specified in the accompanying offence report of this station, and whereas the Names of the Accused. facts can be proved by the evidence of the witnesses named therein. I have the honour to request, that the court will issue process against the accused and try the case under such sections of the Indian Penal Code, or of the Indian Forest Act 1980 or both, as it may deem applicable Assam Forest Regulation 189

Yours faithfully,

(Signature)
 CHANDAN K. JAYARAJ
 Manabhum Forest Range
 Lathao (A.P.) Range.

Forwarded through the Division, Namsai along with OR NO MBR/61/2005 06/223 of 19-4-2018.

(Signature)
 S. B. H. A. JAYARAJ
 Manabhum Forest Range
 Lathao (A.P.)

Forest Department, Arunachal Pradesh.

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Namsai Forest DIVISION

OFFICE REPORT NO. MSR/01 of 2018-19 Dated 19.4.2018.MANABHUM REVENUE STATION RANGE
LA-THA-D.

NATURE OF THE OFFENCE

Construction of Village Link Road from N.H. 52, to Kongma, Khom Village.

Under MRFC Comp. No. 1663/2015/520-N 0550 57/5341-E

Date & hour of detection 19.4.18 10 AMPlace of occurrence MRFC AREA Comp. NO 66By whom detected RO & Staff of Manabhum Range, Lalhob

REFERENCE TO SECTIONS OF THE

FOREST ACT, 1980 AND INDIAN PENAL CODE
ASSAM FOREST REGULATION, 1891

(To be filled in by the Divisional Forest Officer)

Under Section 15(a) of Assam Forest Regulation Act 1891
& Under Section 2 (ii) (ii) of Forest Conservation Act
1980.

NAME OF ACCUSED

NAME	FATHER'S NAME	place of residence	
		Village	Thana District
The E.E. PND Divn. NAMSAL	—	NAMSAL	NAMSAL

NAMES OF WITNESSES

1 B. Chaitan, I.R.	} Staff of Manabhum Range, Lalhob	
2. C. P. Maphai, D.I.R.		
3. S. Pargun, P.O.		
4. C. M. Manabhum, I.R.		
5. C. M. Simal, P.O.		

(Full Report of facts described)

FULL REPORT OF ALL THE FACTS IN DETAIL.

(To be framed not later than the day after the occurrence)

With reference to the offence Report no MBR/03 of 2012
dt. 07.12.17 & off's letter no. AND/18/2015/P-11/1783-8 dt. 10.12.17
the offence Report is being taken against the offenders i.e.
the Executive Engineer, PWD Dist. Namsai vide RFO, Manabhan
memo no. NIS dt. 02.4.18.

The Executive Engineer PWD Dist. Namsai being the
executing agency vide memo no. ND/EE 24/2016-17/5407-10
dt. 25.2.17. The construction of Road (9 km) inside MRF is
found to be illegal and Govt. property valued Rs. 63413/-
approx had been assessed vide offence Report no MBR/01 of
2016-17 dt. 05.7.16.

The work order is enclosed herewith for forwrd
of necessary action please.

Ref.
(B. CHAITOM) FR
Range Forest Officer
Manabhan Forest Range
Lathao (A.P.)

ALL NAMSAL

132

Dated Namsal the 15/3/2017

M/s A.K. Enterprises,
Namsal,
Arunachal Pradesh

Issue of notice to proceed with the work

Dear Sir(s),

Pursuant to your furnishing the requisite security in Term Deposit Receipt Account vide No. 36689901696 Dtd. 15/03/2017 for ₹ 11,76,985/- (Rupees eleven lacs seventy six thousand nine hundred eighty five) only as detailed in clause 1 of clause of contract and signing of the contract for the work "Construction of Village Link Road from NH-52 to Kongma Kham Model village (9.00 Km. SH- Earth Work & Culvert and WBM)" at a Bid price of ₹ 2,35,39,686/- (Rupees two crore thirty five lacs thirty nine thousand six hundred ninety eight) only. You are hereby authorized to proceed with the execution of the said work in accordance with the contract documents and also requested to contact the Assistant Engineer, Namsal Division PWD, Namsal for taking possession of the site.

Yours faithfully,

(Er. CS. Namshum)
Executive Engineer
Namsal Division, PWD,
Namsal, A.P.

Dated, Namsal the 15/3/2017

Ref: ND/EE-24/2016-17/5407-10

Copy to:-

1) The Chief Engineer, (E/L PWD, AP, Itanagar for favour of information please

2) The Superintending Engineer, Tezu Circle, PWD, AP, Tezu for favour of information with reference to the letter No. SUTC/Cont-Agmt / SDE/SADA (ND/2016-17/44950 dated 15/03/2017) please.

3) The Executive Engineer, Namsal Sub Division, PWD, AP, Namsal for information and further necessary action.

4) The Assistant Surveyor of Works, Namsal Division, PWD, AP, Namsal for information.

5) Copy for agreement

(Er. CS. Namshum)
Executive Engineer
Namsal Division, PWD,
Namsal, A.P.

STATEMENT OF THE ACCUSED

Work order enclosed heroby may be found
as Statement of the accused.

Forest Department, Arunachal Pradesh

NAMSA Forest

OFFENCE REPORT NO. 1120/01 of 2018-19

Dated: 19.4.18.

MANAGROM

REVENUE STATION
RANGE

Memo No. 1120/6/2018-05/223

Dated: 19.4.2018

Forwarded to the

Namsa Forest

Division, with a copy of the Seizure Report
and an application for issue of process.

(P. CHAITOM) SR.

Officer-in-charge

Range Forest Officer
MANAGROM
RANGE

Revenue Station
RANGE

Memo No. 440/18/2015/PS/1

Dated

Forwarded to the

Chief Judicial Magistrate
Lower Dikhang Valley Dist. Rong

Magistrate

Commissioner

with an application for issue

of process, and the following documents

Form No. 33 (Application for issue of

process) offence report (in original) 1 copy, work order

dated 05.03.2018, No. HD/EE-46/2016-17/

5407-19 dt. 05.3.2018, full detailed report of all

facts, for perusal of your information with a request to

keep the offence case ready

In Charge

Divisional Forest Officer
Namsa Forest Division

Division

(Signature)
N. S. SINGH (A.P.)

GOVT. OF ARUNACHAL PRADEES
OFFICE OF THE DIVISIONAL FOREST OFFICER
NAMSAL FOREST DIVISION, NAMSAL

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Annexure-III

2015/P-II/1761-63

Dated Namsal the 25th Mar/2017.

The Circle Officer,
Lathao.

Sending of offence report for trial.

Madam,

I am sending herewith the offence report No.MBR/03 of 2016-17 dtd.3.3.2017 along with the issue of process drawn by the Range officer, Manabhum Forest Range, Lathao pertaining to encroachment of Manfaiseng area under Manabhum RF for your conduct of necessary trial please.

Yours faithfully,

Enclos-As above

(T.Mize)APFS
Divisional Forest Officer
Namsal Forest Division, Namsal

Copy to:-

1. The Deputy Commissioner, Namsal for information please. This has a ref. to your letter No.ND-39/2016-17/20510 dtd.22.2.2017.
2. The Range officer, Manabhum Forest Range, Lathao for information with a advise to persue the case at his level from time to time in order to quick disposal of the case. Also please patrol the area regularly to protect further encroachment of RF land.

(T.Mize)APFS
Divisional Forest Officer
Namsal Forest Division, Namsal

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE CIRCLE OFFICER --- PIYONG --- ADMN --- CIRCLE
DISTRICT --- NAMSAL

190
Receipt No. 3511
Date: 12/4/18
Olo The J.O. Namsal

Dated Pyg,the 10th April/2018.

72-73
The Divisional Forest Officer,
Namsal Forest Division,
District :: Namsal.

Sub: REGARDING TRIAL REPORT OF YOUR LETTER NO.11/77(PII)/933-34 DT.13th MAR/2018.

Sir,

I am to return herewith the copies of offence reports received from your office for conduction of trial in r/o Shri Kaminiranjan Chakma , Shri Kurisuwa Chakma , Sri Subyagya Chakma , and Shri Nikrechan Chakma at TRF Nongtow area.

However , I am to inform you that as per Government of Arunachal Pradesh notification NO.Jud/Liw-32/2011 dated Itanagar , the 3rd October 2015 , Executive magistrates are no longer empowered to take up any trial cases , and the same should be forwarded to the nearest court having jurisdiction.

Therefore , you are requested to approach the competent authority for further necessary action please.

Encl:- As stated above

Sd/- Indira Thamoung Riba
Circle Officer --- Piyong

Memo No. NO.PYG/FOR-39/
Copy to:-

Dated Pyg,the 10th April/2018.

1. The Deputy Commissioner , Namsal for information please.
2. Office Copy.

Yours faithfully,


(Indira Thamoung Riba)
Circle Officer --- Piyong

1.30
29/3/18
GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE CIRCLE OFFICER, LATHAO
NAMSAL DISTRICT

198
3776
Date: 02/04/2018
C/O The J.O. Namsai

FOREST 12/2005-06/3085-88

Dated Lathao, the 29th of March'18

The Divisional Forest Officer
Namsai Forest Division
Namsai

Sub: Regarding trial report of your letter No.AND/18/2015/P-II/148-49 dated 11 Jan 2018, NO.AND/16/2015/P-II/1761-63 dated 25th march 2017 and No.AND/18/2015/(PII)/936-38 dated the 13th March 2018.

Sir,

Enclosed find herewith the copies of offence reports received from your office for conduction of trial.

However, I am to inform you that as per Government of Arunachal Pradesh notification No.Jud/Law-32/2011 Dated Itanagar, the 3rd October 2015, Executive magistrates are no longer empowered to take up any trial cases, and the same should be forwarded to the nearest court having jurisdiction.

Therefore, you are requested to approach the competent authority for further necessary actions please.

W
Encl: As Stated above



Miss Oyam Saring
Circle Officer
Lathao
Namsai district

Copy to:-

1. The Deputy Commissioner, Namsai for Information please
2. The Range Forest Officer, Manabhum Forest Range and R.O Tengapani for Information please
3. Office Copy

Miss Oyam Saring
Circle Officer
Lathao
Namsai district

GOVT. OF BIHAR
OFFICE OF THE DIVISIONAL FOREST OFFICER
NAMSAL FOREST DIVISION, NAMSAL

NO. AND/18/2015/P-II/ 148-49.

100
202
Dtd. 11/ Jan/2018

The Circle Officer
Lathaw Administration Circle,
Lathaw

Sub: Sending of offence report for trial.

Sir/Madam,

This is to enclose herewith an offence report received from Range Officer Manabhum vide No. MBR/04 of 2017 18 Dtd. 02/12/2017 alongwith an application for issue of Process, Statement of accused pertaining to encroachment by Chow Tungpula Hopak, Vill-Solungtoo, P/S- Namsal P.O- Lathaw bearing an area 10.0 ha. of MRF area under comptt. No 59(P) & 60(P).

The statement as recorded by the Range Officer, Manabhum that the accused has cleared the bushes & brushwood at MRF area by engaging labourers for cultivation purpose.

Hence you are requested to try the above mentioned offence case at your earliest, so that encroached land could be reclaimed by the forest department and appropriate action is also initiated against the offender as per law.

Yours faithfully


Divisional Forest Officer
Namsal Forest Division, Namsal

Copy to -

The Range Officer Manabhum for information with an advice to pursue the case at his level time to time in order to quick disposal of the case and patrol the area regularly to protect further encroachment in RF land.


Divisional Forest Officer
Namsal Forest Division, Namsal

GOVERNMENT OF ARUNACHAL PRADESH
FOREST DEPARTMENT
(APPENDIX X)

APPLICATION FOR ISSUE OF PROCESS

From

The OFFICER-IN-CHARGE,

Manabhum Forest RANGE,

To

DPO Nauleni Forest Divn
DEPUTY COMMISSIONER

THE

POLITICAL OFFICER Nauleni

No MBR/04 of 2017-18

Dated 22.12.17 199

Sir,

Whereas the marginally-noted persons have committed the offences specified in the accompanying offence report of this station, and whereas the

Names of the Accused. facts can be proved by the evidence of the witnesses named therein. I have the honour to request, that the court will issue process against the accused and try the case under such sections of the Indian Penal Code, or of the Indian Forest Act or both, as it may deem applicable

Chow Tungpa Jitpak

Yours faithfully,

(B. Chaitan) SR
Range Forest Officer-Charge
Manabhum Forest Range
Lathao (A.P.) Range.

Forwarded through the Dy. Conservator of Forest in Charge
Division along O/RMD MBR/61/2005-06/311

22.12.2017

Signature (B. Chaitan) SR
Range Forest Officer
Manabhum Forest Range
Lathao (A.P.)

Forest Department, Arunachal Pradesh.

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DIVISION

OFFENCE REPORT NO.

Dated

REVENUE STATION RANGE

NATURE OF THE OFFENCE

Time and hour of detection

Place of occurrence

By whom detected

REFERENCE TO SECTIONS OF THE

FOREST ACT

AND INDIAN PENAL CODE

ASSAM FOREST REGULATION

(To be filled in by the Divisional Forest Officer)

1/6 25(a) of Assam Forest Regulation act 1891 & 1/6 2(1)(ii) of Forest Conservation act 1980

NAME OF ACCUSED

NAME	FATHER'S Name	place of residence		
		Village	Thana	District
	Selnyla	Namni	Namni	

NAMES OF WITNESSES

--	--	--	--	--

(Full Report of facts overleaf)

STATEMENT OF THE ACCUSED

I, Chao Tungpau Hopak, son of Chao
 Re Namie, do hereby declare that I have
 committed an offence by throwing the bomb and
 arrested at M. D. M. S.

I do not intend to further
 commit any kind of offence in future.

Chao Tungpau Hopak
 vill - Salinghoo
 P.O. Lallan

Forest Department, Arunachal Pradesh.

OFFENCE REPORT NO.

Dated

DIVISION

REVENUE STATION
RANGE

Memo No.

Dated

Forwarded to the

Conservator of Forests

and an application for issue of process

Division, with a copy of the Seizure Report

Officer-in-charge

Range Forest Officer

Manohar Forest Range

Revenue Station
Range

Memo No.

Dated

Forwarded to the

Magistrate

Commissioner

of Process, and the following documents

with an application for issue

Statement of accused, full detailed report for favour of
your information with a request to drop the offence report
no. 2166/04 H 2017-18 dt. 22.12.2017

DIVISIONAL FOREST OFFICER
NANKA FOREST DIVISION

In-Charge

Conservator of Forests

Division

Receipt No. (8)
Date :
Ob The J.O. Namsai

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

Dtd. the 13 March/2018

NO AND/18/2015/POA 754-38

To: The Circle Officer
Lathao Administration Circle, Lathao

Sub: Sending of Offence report for trial.

Sr. This is to enclose herewith an offence report received from R.O. Tengapani wide No. TP/03 of 2017-18 Dtd. 1-3-2018 alongwith an application for issue of process, full detailed report, (page 1 to 10), statement of accused under TRF Comptt. No. 71(P) of up-stream of Khai Nallah for your information & further necessary action please.

The offence report has been drawn by the Range Officer, Tengapani against trespassing inside RF with malafied intension, clearance of jungle & construction of hutment in cleared area on the pretext of devastated by flood.

Further while visited patrolling team in that area to check previous encroachment, it is found that encroacher invited another 11 (eleven) families and encourage them to settle in the vicinity of the area.

You are therefore requested to try the above mentioned offence case at your earliest so that encroached land may be reclaimed by the forest department and appropriate exemplary punishment is also initiated against the offender as per law.

Yours faithfully

[T. Murel]
Divisional Forest Officer
Namsai Forest Division, Namsai

Copy to:-

- 1) The R.O. Tengapani for information with an advise to pursue the case at his level from time to time in order to ensure quick disposal of the case & patrol the area regularly to protect further encroachment of R.F. land.
- 2) The Deputy Commissioner, Namsai for favour of information please. This has a reference to the letter No. NLM-18(Pt-1)/2016/1489 Dtd. 12-1-2018

[T. Murel]
Divisional Forest Officer
Namsai Forest Division, Namsai

Schedule I (Part-I) Form No 32.
Forest Department, Arunachal Pradesh

Namsai Forest DIVISION

OFFENCE REPORT NO. TP/03 of 2017-2018 Dated 23/02/2018

Tengapani

(REVENUE STATION)
THANE.

NATURE OF THE OFFENCE

Ingressing inside R.F. without permission with mala fide intention by cutting & clearance of jungle i/c construction of huli in cleared area.

Date and hour of detection: 19-02-2018 at about 9.00 hours.

Place of occurrence: Up stream of Khai Nallah.

By whom detected: Patrolling party of Tengapani Forest Range.

REFERENCE TO SECTIONS OF THE FOREST ACT AND INDIAN PENAL CODE Section 24, 3 & 25

(To be filled in by the Divisional Forest Officer)

U/s 25 (a) of Assam Forest Regulation Act, 1871 & U/s 2(i)(iii) of Forest Conservation Act, 1980.

NAMES OF ACCUSED

Name	Father's Name	Place of Residence		
		Village	Thana	District
Sri Kohma Eto.	Sl. Koge Eto.	Mokapat.	Chowkham	Namsai
" Drosoli Eto.	" Gohok Eto.	"	"	"
" Takah Ratan.	" Sasi Ratan	- Mabitea.	"	"
" Ogo Tayeng	" Negin Tayeng.	"	"	"
" Makum Tayeng	" Lahon Tayeng	"	"	"
" Suriy Tayeng.	" Lahon Tayeng	"	"	"
" Otet Eto.	" Dumi Eto.	- Monapat.	"	"
" Bukdo Eto.	" Onu Eto.	"	"	"
" Sidiy Tayeng.	" Ambia Tayeng	- Mabitea.	"	"
" Kepho Tayeng	" Ratan Tayeng	"	"	"
" Bafjan Ratan.	Sri Arjun Ratan.	"	"	"

NAMES OF WITNESSES

Sri H. Aji. Dy. F.R. Tengapani Forest Range.
Sri B. Paktin Dy. F.R. "
Sri M. Pini, Fr. "

FULL REPORT OF ALL THE FACTS IN DETAIL.

(To be framed not later than the day after the occurrence)

1. Location - c.p. stem of *Albizia* s.l.
2. Name of st. - *Yungipani* P.F.
3. Compositae - 71/83
4. Elevation -
5. Date of collection - 11 (June) 1983
6. Geo. coordinates - 25° 42' 00" N 96° 00' 00" E

On my inspection the staff of Sangayon had large
easy cot paddling on 1911 1st 2nd under 1st Division also
on reaching Klu: Hukuk they have decided to inspect the river
each other place and accordingly they have inspected the area on
found another 11 (11) more but only continued in the vicinity
of the place inspected by Sir Clonida H. on 1st 2nd 3rd
Dai, in whose name officers report has been given on 1st 2nd 3rd

However they had still not yet created an idea
embraced by them. Instead they have invited them into the
White Society and encourage them to settle in the country. It is all
done out by hand, and the same is going on in the other
camp and among the people. The people are very poor.

Michigan they have violated the Forest Act, by transferring same
to the different Govt. approval, with out the other Govt. ~~they~~
~~claiming~~ ~~to~~ ~~make~~ ~~it~~ ~~an~~ ~~act~~ ~~of~~ ~~the~~ ~~Govt.~~

Therefore Robert Offner has been advised against those 11 (Eleven) police boys, who were & still are being furnished in San Francisco to try incompete work & etc.

GOVERNMENT OF ARUNACHAL PRADESH
FOREST DEPARTMENT
(APPENDIX X)

APPLICATION FOR ISSUE OF PROCESS.

(79)

From

The OFFICER-IN-CHARGE,
TENGAPANI FOREST RANGE, TENGAPANI

To

THE DEPUTY COMMISSIONER
POLITICAL OFFICER

No.

Dated.

Sir, Whereas the marginally-noted persons have committed the offences specified in the

NAME OF THE ACCUSED

1. Sri Kohme Ete
2. " Desoli Ete.
3. " Takar Ratan
4. " Oge Fayeng.
5. " Makum Fayeng.
6. " Suriy Fayeng.
7. " Otel Ete.
8. " Bukdo Ete.
9. " Sidey Fayeng.
10. " Kepbo Fayeng.
11. " Sohjan Ratan.

accompanying offence report of his station, and whereas the facts can be proved by the evidence of the witness named therein, I have the honour to request, that the court will issue process against the accused and try the case under such sections of the Indian Penal Code,

or of the

Indian Forest Act
Assam Forest Regulation

both, as it may deem applicable.

Section 24 & 25

Yours faithfully,



Officer-in-Charge
TENGAPANI FOREST OFFICER
TENGAPANI FOREST RANGE, Range,
TENGAPANI
Conservator of Forest-in-

Forwarded through the.....
Charge Namsai Forest Division.

Signature.....

STATEMENT

(1)

P8

To,

The Divisional Forest Officer Namsai
District Namsai Arunachal Pradesh.
Through the Range officer
Tenga paro Range.

Dated on- 20-3-2016

Subject:- An information regarding the replacement
and Rehabilitation the flood victimised people
of Malsra, Morapat, Mozgaon villages under
Tenga paro Range Mochuban and Khali-
Halla jurisdiction.

Sir,

Most respectful and humble submission we on behalf
of Malsra, Morapat and Mozgaon concerned leaders
the above mentioned villages of Chongkhom Circle Namsai (AP) at first very beginning the last devastating
flood or last year in July 2004, we the above
named people are now in the process of new land
jungle cutting has been started as till now. The
old native place was known as Tengali - Mijera
villages, after great earthquake in year 1950 after that
the old place was destroyed. The victims of people
left to this present place Malsra area, which is situated
very hard reach. Along southern part of present
place, we are the old land, we are all flood victimised
people are unfortunately found the place. This present
place is the gift of forest department. The present
people are now settling this place up to the year
of old, but here is very dangerous, there is
the great heavy forest, Malsra, Mijera, Malsra, Mijera
concerned covering our present village it is
possible to find, and staying here is very
hard, or present. And no any advantage facility
by the (AP) govt.

enclosed find form with the all
very documents for the above cited, with for
mail of your kind information and necessary
info please.

Thank you

Yours faithfully

on behalf of MABSON, MORAPU
and KOGGAON village

1. Shri Chandras Ete C. Ete
(G.B. Morapu village)

2. Shri Anil Ete 10-5-2016

(ASM, MABSON, MORAPU)

Annexure - IV
57

PLOT FOR CA PLANTATION IN TENGAPNI RF UNDER NAMSAL FOREST DIVISION, NAMSAL- 40 Ha

