

Jammu & Kashmir Forest Department
Office of the Pr. Chief Conservator of Forests & HoFF,
Government of Jammu & Kashmir

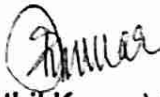


Sub: Proposal for diversion of 0.301 Ha of forest land for construction of link road from Udhyanpur to Rai Sarwala km 1st to 5th in Social Forestry Division Doda

Ref: Proposal No. FP/JK/Road/149333/2021.

This is with reference to the above proposal. The DFO Social Forestry Division Doda has reported violation by user agency in this proposal. The Conservator of Forests, Chenab Circle Doda/DFO Social Forestry Division Doda/User Agency are requested to upload the following documents:-

1. The detail of violation need to be uploaded by DFO S.F. Division Doda.
2. The penal NPV need be assessed and incorporated in the proposal by the DFO concerned as per the procedure laid down under clause 1.21 of chapter 1 of the Handbook (Page No 43).
3. Undertaking by user agency to pay penal NPV.


(S.Senthil Kumar) IFS
Chief Conservator of Forests
Nodal Officer (FCA)

Dated 3-08-2022

No. PCCF/FCA/3419/ 3287-89

To:

1. Conservator of Forests, Chenab Circle Doda
2. Divisional Forest Officer, Social Forestry Division Doda.
3. Executive Engineer, PWD R&B Spl Sub Division Doda(xenrbdoda@gmail.com)

NO:- 940/SFD/D

DT:- 04-08-2022

Copy To Executive Engineer, PWD
R&B spl Division Doda. To submit
undertaking to pay Penal NPV.
as pointed Above at Serial. No.3.


Divisional Forest Officer
Social Forestry Division
DODA

Encl:- Bill Raised for paying penal NPV
(One leaf)

Revised Detailed Report on Violation of the Forest Conservation Act. 1980

As per the site inspection, it has been observed that the user Agency (PWD R&B Spl. Sub Division Doda) has violated the provisions of Forest (Conservation) Act. 1980 by Construction of link road from Udyanpur to Rai Sarwala Km 1st to 5th and the case is under process on Parivesh under the provisions of Act and started construction of road without stage 1st approval and hence is liable for punishment under rule 3 (B) issued by the Assistant Inspector General of Forest Ministry of Environment, Forest and Climate Change (Government of India) vide F. No. 11-42/2017-FC dt. 29-01-2018. Further it is mention that at present Construction of link road from Udyanpur to Rai Sarwala Km 1st to 5th PWD (R&B) spl sub Division Doda has been stopped.


1. The penalty for violation shall be equal to NPV of Forest Land per hectare for each of violation from the date of actual diversion as reported by inspecting officer with maximum upto five (5) time the NPV plus 12% simple interest till the deposit is made.
2. In case of public utility projects of the Govt. the penalty shall be 20% of the penalty proposed in para (i) above.

The above mentioned user agency has not followed the due procedure for Forest land Diversion case and has constructed link road from Udyanpur to Rai Sarwala Km 1st to 5th without any sanction has broken inside the SF closures (New Seel and Lahri Dhak) 400ft. and damaged 7 No of trees as reported by Range Officer SF Range Doda vide No.68/ROSFD dated 27-07-2022. The penalty as such calculated is as under :-

1. Total NPV = 413095/-
2. Penalty for 5 years (5 x 413095) = 2065475/-
3. Simple interest @ 12% in penalty amount = 247857/-
4. Total penalty amount = 2313332/-
5. 20% of recoverable penalty amount (as the project is of public utility) = 462666.4

As per the standing Govt. orders/directions and keeping in view the violation of the Forest Conservation Act. 1980 the User Agency (PWD R&B Spl. Sub Division Doda) is recommended to pay 20% of the penalty proposed in the para (i) above which is calculated as **Rs. 462666.4 (Four lac sixty two thousand six hundred sixty six Rupees and four paisa)** and it is as such requested / recommended that the case may kindly be approved under the provision of the FCA 1980 please.


Range Officer
Social Forestry Range
Doda


Divisional Forest Officer
Social Forestry Division
Doda
