

**GOVERNMENT OF TELANGANA
FOREST DEPARTMENT**

From
Smt. R.Sobha, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force) (FAC),
Telangana, "Aranya Bhavan",
Saifabad, Hyderabad.

To
The Spl. Chief Secretary to the Govt,
Environment, Forest, Science
and Technology Department,
Telangana, Secretariat,
Hyderabad.

Rc.No.2421/2016/FCA-1, Dated 20.12.2019

Sir,

Sub:- TS - Forest (Conservation) Act, 1980 - Diversion of forest land to an extent of **4.906 ha in Nizamabad forest division** under Nizamabad District - for laying of Pipe Line and construction of structures in **Segment-11/2 (Indalwai)** for providing safe drinking water to **Nizamabad District** - under Telangana Drinking Water Supply Project - in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal - In-principle (Stage-I) approval - Accorded- **Condition-wise compliance report - Submitted** - Regarding.

- Ref:-**
1. Chief Engineer, TDWSP, Hyderabad Lr.No. AEE4/DEE-II-1/INDALWAI/FOREST/2016 dated 06.02.2016.
 2. PCCF's Ref.No.2421/2016/FCA-1/TS dated 15.02.2016.
 3. CCF, Nizamabad Ref.No.388/2017/D1 dated 28.01.2017.
 4. PCCF's Ref.No.2421/2016/FCA-1 dated 03.05.2017.
 5. Govt Letter No.2005/For.I(1)/2017-1 dated 07.06.2017.
 6. From GoI, MoEF&CC, Chennai F.No.4-TSB103/2017-CHN/1127 dated 21.07.2017.
 7. PCCF's Ref.No.2421/2016/FCA-1 dated 05.08.2017.
 8. CCF, Nizamabad Rc.No.388/2017/D1 dated 17.12.2019.

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Kind attention is invited to the references cited.

It is submitted that the Government of India vide reference 6th cited has conveyed Central Government **in-principle (Stage.I) approval** under Section 2 of Forest (Conservation) Act, 1980, for diversion of forest land to an extent of **4.906 ha** in Nizamabad forest division under Nizamabad District, for laying of Pipe Line and construction of structures in **Segment-11/2 (Indalwai)** for providing safe drinking water to **Nizamabad District** under Telangana Drinking Water Supply Project, in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal. In the reference 7th cited, the said orders has been communicated to all the concerned officers with instructions to submit condition-wise compliance report in the matter, for seeking Stage-II (Final) approval.

Accordingly, the District Forest Officer, Nizamabad has obtain compliance of conditions from the User Agency/Forest Divisional Officer, Nizamabad; and submitted the condition-wise compliance report together with its enclosures through Chief Conservator of Forests, Nizamabad, which is received in this office through reference 8th cited. A copy of the reference 8th cited together with its enclosures **in triplicate** are enclosed herewith.

The condition-wise compliance report is reproduced with remarks as follows:-

Sl. No.	Description of the Condition	Compliance
1	2	3
1.	The Legal status of the diverted forest land shall remain unchanged.	The UA has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
2.	The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of user agency.	The User Agency has deposited an amount of Rs.52,69,200/- into PD account of FDO, Nizamabad vide UTR No.IDIBR520 18010815537437 dt.08.01.2018, which includes Rs.44,58,000/- towards cost of construction of boundary pillars.

Cont'd....2.

3.	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 4.906 Ha out of the 145.18 Ha of non-forest land identified in Sy.No.100 of Nagilla Village at Madgui Mandal in Amangal Range of Amangal Division at the cost of user agency.	The User agency has deposited an amount of Rs.83,59,630/- which includes an amount of Rs.44,20,130/- towards CA scheme, into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, with UTR No's.IDIBH17290284424 dated 17.10.2017 against the project proposal No. FP/TG/WATER/17917/2016 and same is reflected online in the Ministry's portal.
4.	Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith
5.	The CA area identified at Amangal Division which is apportioned project wise shall be treated as per the CA scheme approved.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith
6.	Non-Forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance.	The non-forest land identified by the User Agency for raising CA has been transferred and mutated to an extent of Ac.176-00 gts equivalent to 71.082 Ha in favour of the State Forest Dept. Out of 71.082 ha, the non-forest land to an extent of 4.906 ha will be apportioned for this segment, as per the approved CA scheme.
7.	Non-Forest land which is transferred and mutated in favour of the state Forest Department for the purpose of Compensatory Afforestation, shall be declared as Reserved Forest under section-4 or Protected Forest under Section 29 of the Indian Forest act, 1927 or under the relevant section(s) of the local forest act. The Nodal Officer must report compliance with in a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non forest land under section 4 or section 29 of the Indian Forest act, 1927 or under the relevant section of the local forest act as the case may be, to this office for information and record.	The non-forest CA land transferred & mutated in favour of State Forest Department will be declared as PF/ RF under Telangana Forest Act, 1967 within a period of six months upon receipt of Stage-II approval.
8.	The State Government shall charge the Net Present Value of the diverted forest land measuring 4.906 ha. as per the orders of the Hon'ble Supreme Court dated.28.3.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IA's in Writ Petition (Civil) No.202/1995. (Cost indicated above).	The User agency has deposited an amount of Rs.83,59,630/- which includes an amount of Rs.39,39,500/- towards payment of NPV for the forest area proposed for diversion, into the account of Telangana State CAMPA, New Delhi, with UTR No's.IDIBH17290284424 dated 17.10.2017 against the project proposal No.FP/TG/WATER/17917/2016 and same is reflected online in the Ministry's portal.

9.	Additional amount of the NPV of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be paid by the UA.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
10.	The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the respective bank account of the Telangana State CAMPA. <u>The User Agency shall compulsorily deposit the CA and other levies only by generating challan through the Ministry's website.</u>	The User agency has generated a challan through the Ministry's website for an amount of Rs.83,59,630/- towards NPV and CA into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, into the account of Telangana State CAMPA, New Delhi, with UTR No's.IDIBH17290284424 dated 17.10.2017 against the project proposal No. FP/TG/WATER/17917/2016 and same is reflected online in the Ministry's portal.
11.	The muck generated in the earth cutting if any, will be disposed off at designated dumping sites and in no case the muck/debris will be disposed off in the forest areas.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith
12.	Tree felling in the proposed forest area shall be carried out wherever necessary with the prior permission of the District Forest Officer concerned.	The User Agency has deposited an amount of Rs.52,69,200/- into PD account of FDO, Nizamabad vide UTR No.IDIBR52018010815537437 dt.08.01.2018, which includes Rs.8,11,200/- towards tree Growth (timber) Extraction and Transportation. The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
13.	State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
14.	Wherever necessary the User Agency shall provide free supply of water for forest nurseries and field staff quarters and range offices, besides providing outlets with small troughs during summer for wild animals in the forest areas.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
15.	The forest land proposed for diversion shall under no circumstances be transferred or subleased to any other agency, department or person without prior approval of the Central Government.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
16.	The layout plan for the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
17.	The user agency shall use existing paths and roads for laying of pipeline and no new paths/roads are to be formed.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.

18.	As recommended by the DFO Nizamabad, the User Agency shall erect two permanent boards at the entrance and exit points of the forest area proposed for diversion about status of the land.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
19.	Minimal disturbance should be ensured by creating labour camps outside the forest area as far as possible and it will be the responsibility of the UA to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
20.	The total forest area utilized for the project shall not exceed 4.906 ha and the forest area diverted shall not be used for any other purpose other than those shown in the diversion proposal.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
21.	The User Agency should make provisions for supply of water to wildlife at designated places / along the route passing through forest areas, in consultation with Telangana Forest Department. Such provision should be made at intervals of 2 km each. The Chief Wildlife Warden is advised to develop a master plan to use the proposed pipelines for supply of water to the wildlife. Precautions have to be taken to avoid concerned of livestock at the water point.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
22.	The Progress of the Compensatory afforestation as mentioned by the DFO, Nizamabad Division Sl.No.12(V)(a) of part-II i.e., 22 ha of forest land shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal.	The progress of the Compensatory Afforestation will be monitored by the concerned field officers and copy of the monitoring report will be forwarded to the Regional Office, MoEF & CC, Chennai through Nodal Officer for FCA, from time to time besides uploading of the same in web portal.
23.	User agency and the State Government shall ensure compliance to provision of the all Acts, Rules Regulations and Guidelines, for the time being in force, as applicable to the project.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
24.	Any other conditions that the Central Government or Addl. PCCF (Central) of Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
25.	In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.

Further, the stage-I clearance has been published by the User Agency in English and Telugu daily newspapers on 19.09.2018 (**copies enclosed**).

The Government are requested to forward the condition-wise compliance report to the Ministry of Environment, Forests & Climate Change, Regional Office (South Eastern Zone), Chennai and obtain final (Stage-II) approval under Section 2 of Forest (Conservation) Act, 1980 and communicate the orders in the matter, at an early date.

Yours faithfully

Sd/- R.Sobha,

Principal Chief Conservator of Forests
(Head of Forest Force) (FAC)

Encl: (As above)

Copy to the Engineer-in-Chief, Rural Water Supply & Sanitation, SRTGN Bhavan, Errum Manzil Colony, Hyderabad.

Copy to the Chief Conservator of Forests, Nizamabad, District Forest Officer, Kamareddy and Forest Divisional Officer, Nizamabad.

Copy to the APCCF/Conservator of Forests, Rangareddy, District Forest Officer, Rangareddy and Forest Divisional Officer, Amangal for information and necessary action on compliance of condition No.(7).

Copy to the Chief Engineer, Telangana Drinking Water Supply Project (RWS&S), Hyderabad.

Copy to the Superintending Engineers, Telangana Drinking Water Supply (RWS&S) Circle, Nirmal and Nizamabad.

// t.c.b.o.//

Spare

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21/12/2019

Sobha
21/12/19
Superintendent