

**GOVERNMENT OF TELANGANA
FOREST DEPARTMENT**

From
Sri P.K. Jha, I.F.S.,
Principal Chief Conservator of Forests
(Head of Forest Force)
Telangana, "Aranya Bhavan",
Saifabad, Hyderabad.

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

Rc.No.2930/2016/FCA-1, Dated 24.07.2019

Sir,

Sub:- Forest (Conservation) Act, 1980 - Diversion of forest land to an extent of **4.702 ha** in Kothagudem, Khammam & Sathupally forest divisions under Khammam District - for laying of Pipe line and Construction of Structures in **Segment 26/2 [Wyra-Sathupalli (Part)]** for providing safe drinking water under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Khammam - In-principle (Stage-I) approval - Accorded - **Condition-wise compliance - Submitted** - Regarding.

- Ref:-**
1. Chief Engineer, TDWSP, RWS&S Department, Hyderabad Lr.No. AEE4/DEE-II/TDWSP/Forest/KMM/Wyra/2016 dt.13.02.2016.
 2. PCCF's Ref.No.2930/2016-FCA-1/TS (Seg.26/2) dated 17.02.2016.
 3. CF, Khammam Ref.No.388/2016/M1 dated 07.12.2016.
 4. PCCF's Ref.No.2930/2016/FCA-1 dated 17.12.2016.
 5. State Govt Lr.No.5631/For.I(1)/2016-1 dated 28.02.2017.
 6. From GoI, MoEF&CC, Regional Office, Chennai Lr.No.4-TSB069/2017-CHN/0607, dt.17.04.2017 received through Govt Memo No.5631/For.I(1)/2016-2 dated 01.05.2017.
 7. PCCF's Ref.No.2930/2016/FCA-1 dated 27.04.2017.
 8. CF, Kothagudem Rc.No.144/2019/M3, dated 13.06.2019.
 9. I/CF, Khammam Rc.No.388/2018/M11 dated 29.06.2019.

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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 **3.964 ha in the following forest divisions**, for laying of Pipe Line and Construction of Structures in **Segment-25/13 (Ramachandraram)** for providing safe drinking water under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Khammam.

Sl. No.	Name of the forest division	Name of the District	Total Area (in ha)
1	3	2	6
1.	Khammam	Khammam	1.080
2.		Sathupally	3.332
3.	Kothagudem	Kothagudem	0.290
	TOTAL:		4.702

The in-principle (Stage.I) approval have been communicated to all the concerned officers with instructions to submit condition-wise compliance report in the matter, vide reference 7th cited.

Accordingly, the District Forest Officers, Khammam and Bhadradri-Kothagudem Khammam has obtain compliance of conditions from the User Agency and submitted the condition-wise compliance report together with its enclosures through respective Conservators of Forests i.e., Khammam and Kothagudem respectively, which is received in this office through references 8th and 9th cited. Copies of references 8th and 9th cited together with its enclosures **in triplicate** are enclosed herewith.

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

<u>1</u> Sl.No.	<u>2</u> Description of the Condition	<u>3</u> Compliance															
(i)	Legal status of the diverted forest land shall remain unchanged.	The User Agency has submitted an undertaking stating that Legal status of the diverted forest land will remain unchanged, which is enclosed herewith.															
(ii)	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.	<p>The UA has deposited following amounts in the respective PDs accounts of respective FDOs on 17.05.2018 towards demarcation of the proposed forest area by erecting cement concrete pillars:</p> <table border="1"> <thead> <tr> <th align="center">Sl. No</th> <th align="center">Name of the Division</th> <th align="center">Amount (in Rs.)</th> </tr> </thead> <tbody> <tr> <td align="center">1.</td> <td>Khammam including 3 boards</td> <td align="right">5,64,100/-</td> </tr> <tr> <td align="center">2.</td> <td>Sathupally</td> <td align="right">11,70,000/-</td> </tr> <tr> <td align="center">3.</td> <td>Kothagudem including boards at entry & exit points.</td> <td align="right">1,82,700/-</td> </tr> <tr> <td align="center" colspan="2">TOTAL:</td> <td align="right">19,16,800/-</td> </tr> </tbody> </table>	Sl. No	Name of the Division	Amount (in Rs.)	1.	Khammam including 3 boards	5,64,100/-	2.	Sathupally	11,70,000/-	3.	Kothagudem including boards at entry & exit points.	1,82,700/-	TOTAL:		19,16,800/-
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TOTAL:		19,16,800/-															
(iii)	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 4.01 Ha out of the 187.677 ha of non-forest land identified in Sy. No. 169 of Peddamunagala and in Sy.No.139 ha & 147 of Thimmapuram in Chandampet Mandal of Nalgonda District at the cost of user agency.	The User Agency has deposited an amount of Rs.68,61,200/- (Part of Rs.98,04,820/- towards CA, into the account of TELANGANA STATE CAMPA, New Delhi Lodhi Complex, with UTR No. VIJBH18232008942 dated 23.08.2018, against the project FP/TG/WATER/18008/2016 . Same is reflected online at Ministry's portal & copy enclosed.															
(iv)	The State Government has proposed 4.702 Ha of non-forest land for compensatory afforestation under the subject proposal as part of 187.677 ha of non-forest land identified for entire TDWSP projects (Mission Bhageeratha Project). The CA land identified to the extent of 187.677 ha for the Mission Bhageeratha project under the working control of WLM division, Nagarjunasagar shall be apportioned project wise including the CA area identified for the present proposal and all the relevant details like DGPS coordinates, map, CA scheme, soil suitability certificate etc shall be uploaded in the Ministry's online portal against the subject proposal.	<p>The non-forest land to an extent of 4.702 ha has been apportioned from the total non-forest land i.e., 187.677 ha identified for CA, under the jurisdiction of the FDO, WLM Division, Nagarjunasagar.</p> <p>Further, the relevant details have been uploaded in the Ministry's online portal against the project FP/TG/WATER/18008/2016.</p>															
(v)	Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government.	The User Agency has submitted an undertaking that the identified CA Land and approved CA Scheme will not be changed without the prior approval of the Central Government.															
(vi)	Non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favor of the State Forest Department before issue of the Stage-II clearance;	The non-forest land identified for raising CA has been transferred and mutated in favour of the State Forest Dept. (Copies enclosed).															

(vii)	<p>Non-forest land which is transferred and mutated in favor 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 within 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;</p>	<p>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.</p>															
(viii)	<p>The State Government shall charge the Net Present Value of the diverted forest land measuring 3.964 Ha from User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995.</p>	<p>The User Agency has deposited an amount of Rs.98,04,820/- on 23.08.2018 into the account of TELANGANA STATE CAMPA, New Delhi Lodhi Complex, UTR No. VIJBH18232008942 dated 23.08.2018, against the project FP/TG/WATER/18008/2016. Out of the above amount, an amount of Rs.29,43,620/- paid towards NPV. The division-wise payment details are as follows:</p> <table border="1" data-bbox="842 1057 1375 1317"> <thead> <tr> <th>Sl. No</th> <th>Name of the Division</th> <th>Amount (in Rs.)</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Khammam</td> <td>6,76,080/-</td> </tr> <tr> <td>2.</td> <td>Sathupally</td> <td>20,86,000/-</td> </tr> <tr> <td>3.</td> <td>Kothagudem</td> <td>1,81,540/-</td> </tr> <tr> <td colspan="2" style="text-align: right;">TOTAL:</td> <td>29,43,620/-</td> </tr> </tbody> </table> <p>The details of payment is reflected online at Ministry's portal & copy of same is enclosed.</p>	Sl. No	Name of the Division	Amount (in Rs.)	1.	Khammam	6,76,080/-	2.	Sathupally	20,86,000/-	3.	Kothagudem	1,81,540/-	TOTAL:		29,43,620/-
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TOTAL:		29,43,620/-															
(ix)	<p>Additional amount of the Net Present Value (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 charged by the State Government from User Agency.</p>	<p>The User Agency has submitted an undertaking for payment to additional amount of the Net Present Value (NPV) payable if any as per the Hon'ble Supreme Court of India in future, which is enclosed herewith.</p>															
(x)	<p>The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project including levies towards mitigation measures for wildlife conservation etc., shall be deposited in the respective bank account of 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></p>	<p>The User agency has deposited an amount of Rs.98,04,820/- into the account of TELANGANA STATE CAMPA, New Delhi with UTR No. VIJBH18232008942 dated 23.08.2018 towards CA and Net Present Value, by generating a challan through the Ministry's website against the project FP/TG/WATER/18008/2016. Same is reflected online at Ministry's portal & copy enclosed.</p>															

(xi)	State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.	The User Agency has submitted an undertaking that the translocation of the trees will be carried out wherever feasible at the cost of User Agency, which is enclosed herewith.
(xii)	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 submitted an undertaking that muck generated in the earth cutting if any, will be disposed off at designated dumping sites, which is enclosed herewith.
(xiii)	Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Forest Divisional Officer concerned.	<p>The User Agency has deposited an amount of Rs.6,66,075/- towards extraction of tree growth into FDO, Sathupally account [(cost of tree growth & cost of raising and maintenance of lost (EP)].</p> <p>Further, the User Agency has submitted an undertaking to carry out Tree felling in the proposed forest area wherever necessary, with the prior permission of the FDO concerned, which is enclosed herewith.</p>
(xiv)	Wherever necessary, 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 forest areas.	The User Agency has submitted an undertaking to supply free of water for Forest Nurseries and field staff quarters and Range Offices, besides providing outlets with small troughs during summer for wild animals in forest areas, which is enclosed herewith.
(xv)	The User Agency should make provisions for supply to water to wildlife at designated places/along the route passing through forest area, in consultation with Telangana Forest Department. Such provision should be made at intervals of 2 km each. Precautions have to be taken to avoid concentration of livestock at the water point.	The User Agency has submitted an undertaking to make provisions for supply to water to wildlife at designated places/along the route passing through forest area, in consultation with Telangana Forest Department.
(xvi)	The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government.	The User Agency has submitted undertaking stating that the Forest Land proposed to be diverted under no circumstances be transferred to any other agency department or person without prior approval of the Govt., which is enclosed herewith.
(xvii)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has submitted undertaking stating that the layout plan of the proposal will not be changed Without the prior approval of the Central Government which is enclosed herewith.
(xviii)	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 submitted undertaking in this regard, which is enclosed herewith.

(xix)	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 submitted an undertaking to ensure that the Minimal disturbance 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 and same, which is enclosed herewith.
(xx)	The total forest area utilized for the project shall not exceed 4.702 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.	The User Agency has submitted an undertaking that the Forest area utilized for the project will not exceed 4.702 ha. Further, the forest area diverted will not be used for any purpose other than those shown in the diversion proposal, which is enclosed herewith.
(xxi)	User agency and the state government shall ensure compliance to provisions of the all Acts, Rules, Regulations and guidelines, for the time being in force, as applicable to the project.	The User Agency has submitted an undertaking to comply the provisions of all Acts, Rules, Regulations and guidelines issued from time to time and same is enclosed.
(xxii)	The Progress of the Compensatory Afforestation as mentioned by the DFO Khammam Division in Sl. No 12 (v) (a) & (b) of part II i.e. 8.54 Ha of forest land and 432.21 Ha of non-forest land, DFO, Kothagudem in Sl.No.12(v)(a) of part II i.e. 34.31 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.
(xxiii)	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 submitted an undertaking that they should not disturb flora and fauna during execution of the project or otherwise in the area, which is enclosed herewith.
(xxiv)	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 submitted that in event of failure to comply with any of the above conditions, the user agency will be liable for penal action as decided by the Add 00itional PCCF (Central), Regional Office, Chennai (copy enclosed).

Further, the stage-I clearance has been published by the User Agency in English and Telugu daily newspapers on **19.12.2018 (Copies enclosed)**.

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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/- P.K.JHA,

Principal Chief Conservator of Forests
& Head of Forest Force

Encl: (As above)

Copy to the Conservators of Forests, Kothagudem and Conservator of Forests, Khammam.

Copy to the District Forest Officers, Kothagudem and Khammam.

Copy to the Forest Divisional Officers, Kothagudem, Khammam and Sathupally

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

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

Copy to the Superintending Engineer, TDWSP (RWS&S) Circle, Khammam.

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

[Signature]
27/7
Superintendent

[Signature]
27/07/2019