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**GOVERNMENT OF TELANGANA
FOREST DEPARTMENT**

From
Smt. R.Sobha, IFS,
Principal Chief Conservator of Forests
(Head of Forest Force),
Telangana, "AranyaBhavan",
Saifabad, Hyderabad.

To
The Spl. Chief Secretary to the Government,
Forest Department,
Telangana, "AranyaBhavan",
Saifabad,
Hyderabad.

Rc.No.4937/2016/FCA-1, Dated 27 .09.2021

Sir,

Sub: TS - Forest (Conservation) Act, 1980 – Diversion of forest land to an extent of **4.148 ha** of forest land in Kothagudem forest Division under Bhadadri-Kothagudem - in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Khammam - for laying of Pipe Line in **Segment-25/6 (5th Incline)** for providing safe drinking water to Kothagudem District - under Telangana Drinking Water Supply Project – In-principle (Stage-I) approval - **Furnishing of Condition-wise Compliance Report of Stage-I and additional information for obtaining Stage-II approval** – Regarding.

Ref: 1. Chief Engineer, TDWSP, RWS&S Dept., Hyderabad
Lr.No.AEE1/SEG25-6/Khammam/Forest permission/2015 dated 12.03.2016.
2. PCCF Rc.No.4937/2016/FCA-1, dt. 28.03.2016
3. CF Kothagudem, Rc.No.06/2017/M3, dt.13.02.2017.
4. PCCF's Ref.No.4937/2016/FCA-1 dated 28.04.2017.
5. Govt Letter No.1919/For.I(1)/2017-1 dated 07.06.2017.
6. From GoI, MoEF&CC, Chennai F.No.4-TSB099/2017-CHN/1116 dated 18.07.2017.
7. PCCF's Ref.No.4937/2016/FCA-1 dated 05.08.2017.
8. CF, Kothagudem Rc.No.06/2017/M3 dated 10.12.2019.
9. PCCF's Ref.No.4937/2016/FCA-1 dated 04.02.2020.
10. The Government of India, MoEF& CC, Regional Office (South Eastern Zone), Chennai in F.No.4-TSB005/2017-CHN/1953 dated 18.06.2020
11. CF, Kothagudem Rc.No.06/2017/M3 dated 22.04.2021
12. DFO, Kothagudem Rc.No. 116/2019/D1, dt. 07.08.2021.

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Kind attention is invited to the references cited.

It is submitted that the Government of India, Ministry of Environment, Forest and Climate Change, Regional Office (South Eastern Zone), Chennai, 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 **4.148 ha** of forest land in Kothagudem forest Division under Bhadadri-Kothagudem, in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Khammam, for laying of Pipe Line in **Segment-25/6 (5th Incline)** for providing safe drinking water to Kothagudem District under Telangana Drinking Water Supply Project. The above orders 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 Chief Conservator of Forests, Kothagudem had obtained compliance of conditions from the District Forest Officer, BhadradriKothagudem, Forest Divisional Officer, Kothagudem and User Agency and submitted to this office vide reference 11th cited. A copy of reference 11th cited together with its enclosures **in triplicate** is enclosed herewith

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

Sl. No.	Description of the Condition	Compliance
1	2	3
(i)	Legal status of the diverted forest land shall remain unchanged.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.

Sl. No.	Description of the Condition	Compliance
(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.	The User Agency has deposited an amount of Rs.22,29,400/- , which is part of Rs.32,29,800/-, into CA PD account of FDO, Kothagudem on 08.07.2019 towards construction of boundary pillars. Erecting 4' high cement concrete pillars duly numbered at an interval of 20 meters have been completed.
(iii)	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 4.148 ha out of the 145.18 ha of non-forest land identified in Sy. No. 100 of Nagilla Village at Madgul Mandal in Amangal Range of Amangal Division at the cost of user agency.	The User agency has deposited an amount of Rs. 37,37,200/- , which is part of the total amount of Rs. 63,33,800/- , deposited towards Compensatory Afforestation, into the Adhoc CAMPA account of Telangana with UTR NO. IDBIH18186424575, dt. 05.07.2018. The paid status is reflected online and a copy of the payment is enclosed.
(iv)	Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government.	The User Agency has transferred and mutated 71.082 ha of non-forest CA land only identified in Sy. No. 100 of Nagilla Village at Madgul Mandal in Amangal Range of Amangal Division due to various problems in the field and balance CA land is identified in Adilabad District. Till now, 47.643 ha utilized for 11 projects and after utilizing 4.148 ha of non-forest CA land, there will be 19.291 ha and will be tagged to the projects received in order. The User Agency agreed to transfer and mutate the balance CA land identified in Adilabad and also pay the differential CA cost. This land will be tagged to various projects after utilizing 71.082 ha of CA land identified in Nagilla, Amangal.
(v)	The CA area identified at Amangal Division which is apportioned project wise shall be treated as per the CA scheme approved.	The Non-Forest Land identified for Compensatory Afforestation (CA) of 71.082 ha has been apportioned for TDWSP project (Mission Bhageeratha Project) and accordingly the cost of CA is apportioned and the Scheme will be implemented.
(vi)	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. Copies of the mutation certificate and its enclosures are enclosed herewith. The User Agency agreed to transfer and mutate the balance CA land identified in Adilabad and also pay the differential CA cost.
(vii)	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	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

Sl. No.	Description of the Condition	Compliance
	Secton-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;	receipt of Stage-II approval.
(viii)	The State Government shall charge the Net Present Value of the diverted forest land measuring 4.148 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.	The User agency has deposited an amount of Rs.63,33,800/- which includes an amount of Rs.25,96,600/- towards payment of NPV , into the Adhoc CAMPA account of Telangana State, with UTR No. IDIBH18186424575 dated 05.07.2018, against the project FP/TG/WATER/18495/2016, and same is reflected online in the Ministry's portal and enclosed.
(ix)	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.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(x)	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>	The User agency has generated a challan through the Ministry's website for the subject project and deposited an amount of Rs.63,33,800/- towards NPV and CA into the Adhoc CAMPA account of Telangana State with UTR No. IDIBH18186424575 dated 05.07.2018, against the project FP/TG/WATER/18495/2016 , and same is reflected online in the Ministry's portal. A Copy of the payment details is enclosed.
(xi)	State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.	The instructions will be complied
(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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xiii)	Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Divisional Forest Officer concerned.	The User Agency has submitted an undertaking to carry out tree felling in the proposed forest area and shall be carried out wherever necessary, with the prior permission of the Forest Divisional Officer. User Agency has deposited an amount of Rs. 5,70,400/- which is part of Rs.32,29,800/-into CA PD accounts of Kothagudem Forest Division towards extraction of tree growth.

Sl. No.	Description of the Condition	Compliance
(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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xv)	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 2km each. Precautions have to be taken to avoid concentration of livestock at the water point.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xvii)	The FDO, Kothagudem Division in Part-II of the proposal it has reported that the proposed project area is located at a distance about 1.5 Km away from the boundary of the Kinnerasani Wildlife Sanctuary. Prior approval of the NBWL shall be obtained, if the proposed forest area is falls in Kinnerasani Wildlife Sanctuary or its Eco-Sensitive Zone (ESZ)	<p>It is submitted that laying of pipe line is falling outside the Kinnerasani WLS, butpassing through the notified Eco-sensitive zone of Kinnerasani WLS (S.O. 2859 [01.09.2017])for length of about 7.5 km.</p> <p>Further, it is submitted that as per the guideline of GoI, MoEF& CC, (WL division) in F.No.6-10/2011/WL, Dt.19.12.2012 (Para 3.5.1) and reiterated in F.No.6-60/2020WL Part(1),Dt.16.07.2020 (Para 3),wherein it is mentioned that:</p> <p>Para 3.5.1 of guidelines Dt.19.12.2012.</p> <p>In pursuance to the order of Hon'ble Supreme Court dated 4th December 2006in Writ Petition (Civil) No. 460/2004, in case any project requiring Environmental Clearance, is located within the eco-sensitive zone around a Wildlife Sanctuary or National Park or in absence of delineation of such a zone, within a distance of 10 km from its boundaries, the User agency/Project Proponent is required to obtain recommendations of the Standing Committee of NBWL.</p> <p>Para 3 of guidelines Dt.16.07.2020</p> <p>a. Proposals involving project/activity located within the notified ESZ (not being draft notification) and listed in the schedule of the EIA notification 2006 and requiring Environment clearance, prior clearance from Standing committee of the National Board for Wildlife shall be obtained.</p> <p>b. Proposals involving project/activity</p>

Sl. No.	Description of the Condition	Compliance
		<p>located within 10 km of National park/Wildlife Sanctuary wherein ESZ has not been finally notified and listed in the schedule of the EIA notification 2006 and requiring Environment clearance, prior clearance from Standing committee of the National Board for Wildlife shall be obtained.</p> <p>As per the above guidelines the present project doesn't require Environment Clearance, hence clearance under W(P)Act,1972 from Standing Committee of NBWL is not required.</p>
(xviii)	The layout plan of 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.
(xix)	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.
(xx)	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.
(xxi)	The total forest area utilized for the project shall not exceed 4.148 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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xxii)	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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xxiii)	The progress of the Compensatory Afforestation as mentioned by the DFO Kothagudem Division 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 instructions will be complied by the field officers and the monitoring report submitted.
(xxiv)	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.
(xxv)	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, it is submitted that the Stage-I clearance has been published by the User Agency in English paper notification and Andhra Jyothi Telangana daily newspaper in Telugu on 21.09.2018 (**Copies enclosed**).

Further, it is submitted that the Government of India vide reference 10th cited, has sought some additional information on the violations and deviations in the diversion of forest land for all the water grid segments taken up under Mission Bhagiratha. Accordingly, the District Forest Officer, Kothagudem vide reference 12th cited, has furnished the required additional information and the same is submitted herewith in Annexure-I and II. As per the report of the user agency has completed the work before issue of Stage-II approval and without obtaining working permission after Stage-I approval, between 05.04.2017 and 20.12.2018

In view of the above, the Government are requested to forward the interim condition-wise compliance report to the Government of India, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Hyderabad for according final (Stage-II) approval under Section 2 of Forest (Conservation) Act, 1980 with imposing Penalty for violation and communicate the orders in the matter, at an early date.

Encl:As above

Yours faithfully,

Sd/- R.Sobha,

Principal Chief Conservator of Forests
(Head of Forest Force)

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for Principal Chief Conservator of Forests

11/10/2021

ANNEXURE - I

The Government of India, MoEF& CC, Regional Office (South Eastern Zone), Chennai in F.No.4-TSB005/2017-CHN/1953 dated 18.06.2020 have called for Additional information on all segments. Accordingly, the information in respect of Segment 25/6 received from the concerned Division / Circle is reproduced below for taking necessary action.

S. No.	Name of the proposals and proposals Number	Extent of area diverted in Ha.	Date of Stage I approval	Copy of the Government order for the Project	Working permission order issued for the proposal, if so, details thereof;	Whether any non forestry work has been started in the diverted area without obtaining working permission / Stage II approval, if yes, details thereof;	Status of the submission of compliance report.
1	Diversion of forest land to an extent of 4.148 ha of forest land in Kothagudem forest Division under Bhadadri-Kothagudem - in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Khammam - for laying of Pipe Line in Segment-25/6 (5th Incline) for providing safe drinking water to Kothagudem District - under Telangana Drinking Water Supply Project FP/TGWATER/18495/2016	4.148 ha	18.07.2017	F.No.4-TSB099/2017-CHN/1116, dt: 18.07.2017	No	The user agency has completed the works during the period from 05.04.2017 to 20.12.2018 before issue of Stage-II final approval and without obtaining any working permission after issue of Stage-I approval. On the violation, Show Cause Notice has been issued to the User Agency vide F.D.O. Kothagudem Rc. No. 418/2016/A5, dt. 05.10.2020 and 18.01.2021.	Yes. PCCF's Rc.No.4937/2016 /FCA-1, Dt. 27.09.2021

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Sd/- R.Sobha,
Principal Chief Conservator of Forests
(Head of Forest Force)

for Principal Chief Conservator of Forests

11/10/2021

Annexure – II

The gist of the information on Segment 25/6 received from the Conservator of Forests Kothagudem, Rc.No.06/2017/M3 dated 22-04-2021 is reproduced below

:

1.	Whether the user Agency started and / or completed the work before issue of Stage – II or without obtaining working permission after stage – I approval if yes, date of commencement and completion of work.	The work has been completed by the User Agency before issue of Stage-II approval and without obtaining working permission after Stage-I approval. The details of the period of works taken up are as follows: Date of Commencement of work:05.04.2017 Date of Completion of Work:20.12.2018
2.	Whether any show cause notice is issued to the user agency for taking up works before obtaining any working permission	The Show Cause Notice has been issued to the User Agency vide F.D.O. Kothagudem Rc. No. 418/2016/A5, dt. 05.10.2020 and 18.01.2021.
3.	Whether there is any deviation noticed in the alignment and construction of pipelines and structures respectively as against the KML files submitted based on which stage I had been approved	There is no deviation noticed in the alignment and construction of pipeline and structures respectively as against the KML file submitted based on which Stage-I has been issued.
4.	Whether there is any extra area / length diverted than the area / length for which stage – I is issued.	There is no extra area/length diverted than the 4.148 Ha for which Stage-I is approved.

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Sd/- R.Sobha,
Principal Chief Conservator of Forests
(Head of Forest Force)


for Principal Chief Conservator of Forests

11/10/2024