



सत्यमेव जयते

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

Regional Office (South Eastern Zone),

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Nungambakkam, Chennai - 600034, Tel. 044-28222041,

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F.No.4-TSB124/2018-CHN/0894
Date 12th June, 2018

To,

The Principal Secretary to the Government,
Environment, Forests, Science & Technology Department,
Telangana State Secretariat, Hyderabad.

Subject: Diversion of 18.083 ha of forest land in Bellampally Forest Division for excavation of Left Flank main Canal and 8-R Distributory for Neelwai Medium Irrigation Project in Mancherial District (Package No 12) in favour of Executive Engineer, Irrigation Department, MIP Division, Mancherial-reg.

Sir,

Please refer to the State Government's letter No. 1358/For.I(1)/2018 dated 24.04.2018 and online proposal No.FP/TG/IRRIG/30173/2017 seeking prior approval of the Central Government for diversion of forest land in accordance with Section '2' of Forest (Conservation) Act, 1980 for the above mentioned project.

As recommended by the Regional Empowered Committee (REC), I am directed to convey the Central Government's in principle approval (**Stage-I**) under Section '2' of Forest (Conservation) Act, 1980 for diversion of 18.083 ha of forest land in Bellampally Forest Division for excavation of Left Flank main Canal and 8-R Distributory for Neelwai Medium Irrigation Project in Mancherial District (Package No 12) in favour of Executive Engineer, Irrigation Department, MIP Division, Mancherial, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (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;
- (iii) The Compensatory Afforestation (CA) and related activities proposed in CA scheme shall be carried out by the State Forest Department over 23.2816 ha of non-forest area identified in Sy No 57 of Kammargaon Village of Panchikalpet Mandal in Kumrambheem Asifabad District at the cost of the user agency. The State Forest Department shall also carry out Compensatory Afforestation and its maintenance over an extent of 13 ha of degraded forest land identified in Compt No 153 of beat Kondapally South, Section Loadpally of

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Penchikalpet Range falling in Kadamba RF at the cost of use agency, to meet the requirement of raising of 1000 plants/ Ha of forest land diverted;

- (iv) The State Forest Department shall also carry out Penal Compensatory Afforestation (PCA) and its maintenance over an extent of 28.00 of degraded forest land identified in Compt No 372 of RF Jasjaravelly, Yellaram Beat, Nennel Section, Kushnepally Range, Bellampally Division at the cost of user agency;
- (v) Entire non-forest land over an extent of 23.2816 ha identified for compensatory afforestation shall be transferred and mutated along with the details of DGPS coordinates of the NFL area in favour of the State Forest Department before issue of the Stage-II clearance;
- (vi) Non-forest land which needs to be 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 State Forest Act. The Nodal Officer must report compliance within a period of six months from the date of grant of final approval and send a copy of the original notification to this office for information and record;
- (vii) Identified CA lands and approved CA scheme shall not be changed without the prior approval of the Central Government and the State Forest Department shall ensure that the amount realized from the user agency towards compensatory afforestation should not be left unspent as recommended by the Regional Empowered Committee (REC);
- (viii) The State Government shall charge the Net Present Value of the diverted forest land measuring **18.083 ha** from the 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;
- (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. User Agency shall furnish an undertaking to this effect;
- (x) As recommended by the Regional Empowered Committee (REC), since the user agency has committed the works in violation of FCA, 1980 unintentionally, due to discrepancies in the land records, the said violation shall be treated under section 3 (E) of the Ministry's guideline dated 21.01.2018;

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- (xi) The State Government shall ensure that no such violation shall take place in the future and shall issue suitable directives to all the Government agencies in this regard;
- (xii) Since the proposed for diversion is falling within 10 kms of Pranahita Wild life Sanctuary, the State Government / user agency shall obtain necessary clearance from the Standing Committee of the National Board of Wildlife for the project before the final approval and the State Government and the user agency shall implement / comply with the mitigation measures suggested by the NBWL, if any at the project cost ;
- (xiii) Wherever feasible the State Forest Department shall carry out translocation of trees instead of resorting to felling, at the cost of user agency;
- (xiv) The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the **Corporation bank account of the Telangana State CAMPA. The User Agency shall compulsorily deposit the NPV and other levies only by generating challan through the Ministry's website;**
- (xv) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xvi) The user agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling;
- (xvii) Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be the responsibility of the user agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;
- (xviii) The User Agency shall ensure that bare minimum trees are felled on the forest land being diverted under strict supervision of State Forest Department also ensuring that trees available between full reservoir level (FRL) and FRL-4 meters are not felled; and the user agency shall undertake afforestation along the periphery of the reservoir and canals (as applicable);
- (xix) The user agency shall not object to the State Forest Department Authorities to have free rights to use the water for nursery / forestry related works and similar facilities to manage forest and fauna of the area;
- (xx) Planting of indigenous tree species shall be undertaken on vacant land along the reservoirs and canals by the user agency at the project cost;

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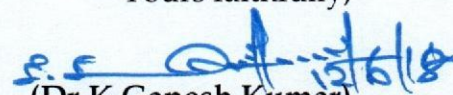


- (xxi) The dug out material / overburden shall be dumped outside the forest area. No storage of any material shall be done in the forest area proposed;
- (xxii) The total forest area utilized for the project shall not exceed **18.083 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. User Agency shall furnish an undertaking to this effect;
- (xxiii) 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;
- (xxiv) 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;
- (xxv) 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;
- (xxvi) The Progress of the Compensatory Afforestation as mentioned by the FDO, Bellampally Forest Division in Sl No 12 (v) (a) of part II i.e 9.3 ha of forest land and 150.946 ha of degraded 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;
- (xxvii) 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.

After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,

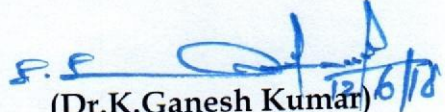
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(Dr.K.Ganesh Kumar)

Deputy Conservator of Forests (Central)

Copy to:-

1. The Director General of Forests & Special Secretary to Govt. of India, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003
2. The Principal Chief Conservator of Forests, Forests Department, Govt. of Telangana Aranya Bhavan, Saifabad, Hyderabad, PIN- 500 004.
3. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Telangana, Aranya Bhavan, Saifabad, Hyderabad, PIN- 500 004.
4. The Additional Director General of Forests (FC), Ministry Of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road Aliganj, New Delhi 110003.
5. The Director, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
6. The Executive Engineer, Irrigation Department, MIP Division, Bellampally Mancherla District, Telangana 504251.
7. Guard file.


(Dr.K.Ganesh Kumar) 12/6/18

Deputy Conservator of Forests (Central)

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