

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

Regional Office (South Eastern Zone),

1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,

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

e-mail: ro.moefccc@gov.in / roefccc@gmail.com



F.No.4-TSB057/2017-CHN/1080

Date 1st July, 2017

To,

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

Subject: Diversion of 4.684 ha of forest land in Kagaznagar division of erstwhile Adilabad District (presently Komaram Bheem, Asifabad District) for laying of pipeline and construction of structures in Segment 22/3 (Sirpur) under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal - reg

Sir,

Please refer to the State Government's letter No.5131/For.I (1)/2016-1 dated 27.12.2016 and the PCCF, Telangana letter No.3729/2016-FCA-1 dated 17.03.2017 and online Proposal No. FP/TG/WATER/18193/2016 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.

The Nodal Officer, Telangana vide letter No. 1274/2014/WL1 dated 09.05.2017 has reported that the, as per the recommendation of the NBWL, an area of 0.026 ha has been deleted from the proposed area of 4.684 ha.

After careful consideration of the proposal of the State Government, 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 4.658 ha of forest land in Kagaznagar division of erstwhile Adilabad District (presently Komaram Bheem, Asifabad District) for laying of pipeline and construction of structures in Segment 22/3 (Sirpur) under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal, 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.

o/c

3. July

DESPATCHED

Date: 12/07/17 R.S. (Ep)

- (iii) The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 4.684 ha out of the 187.677 ha of non-forest land identified in Sy.No.169 of Peddamunagala and in Sy No. 139 & 147 of Thimmapuram in Chandampet Mandal of Nalgonda District at the cost of user agency.
- (iv) The State Government has proposed 4.684 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 Bageeratha 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.
- (v) Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government.
- (vi) State Forest Department shall carry out the penal compensatory afforestation (PCA) over an extent of 2.196 ha in nearby degraded forest area at the cost of the user agency.
- (vii) Map along with DGPS coordinates of the degraded forest identified for penal compensatory afforestation and CA scheme including 10 years of maintenance shall be furnished along with the compliance report.
- (viii) 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;
- (ix) 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 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;

6/c

3-jul

- (x) The State Government shall charge the Net Present Value of the diverted forest land measuring 4.658 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.
- (xi) 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.
- (xii) 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 the Telangana State CAMPA. **The User Agency shall compulsorily deposit the CA and other levies only by generating challan through the Ministry's website**
- (xiii) State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.
- (xiv) 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.
- (xv) Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Divisional Forest Officer concerned.
- (xvi) 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.
- (xvii) The user agency should make provisions for supply of 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.
- (xviii) 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.

3. J. P.

- (xix) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xx) State Government and the user agency shall implement mitigation measures and other conditions as recommended by the Standing Committee of NBWL vide Ministry's letter No. 6-69/2017/WL dated 02.06.2017 at the project cost.
- (xxi) The user agency shall use existing paths and roads for laying of pipeline and no new paths / roads are to be formed.
- (xxii) 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.
- (xxiii) The total forest area utilized for the project shall not exceed 4.658 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.
- (xxiv) Mitigation measures as proposed by the DFO, Kaghaznagar shall be implemented at the cost of user agency.
- (xxv) The Progress of the Compensatory Afforestation under the Jurisdiction of the DFO, Kagaznagar Division 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.
- (xxvi) 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.
- (xxvii) 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.
- (xxviii) 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.

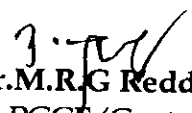
After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. Transfer of forest land to User Agency shall not be effected prior to the issue of final approval. This in-principle approval shall

o/c

3. July

be valid for a period of 5 years. In the event of noncompliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,


(Dr.M.R.G Reddy)

Additional PCCF (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 Director, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
5. The Superintending Engineer, TDWSP, Nirmal, Hyderabad, Telangana-504106
6. Guard file.


(Dr.M.R.G Reddy)

Additional PCCF (Central)