



भारतसरकार
GOVERNMENT OF INDIA
पर्यावरण ,वनएवंजलवायुपरिवर्तनमंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE
CHANGE



Integrated Regional Office,
AranyaBhavan, Opp RBI, Saifabad, Hyderabad, Telangana
500004

e-mail: irohyd.moefcc@gmail.com

F.No.4-TSC182/2021-HYD/ 116

Date 30th July, 2021

To,

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

Subject: Proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad- Revised Stage-I approval order- Reg.

Sir,

Please refer to the State Government's letter No 1632/For.I(I)/2020 dated 22.04.2021 and online application No.FP/TG/RAIL/138554/2021 seeking approval of the Government of India for diversion of forest land in accordance with Section '2' of Forest (Conservation) Act, 1980 for the above-mentioned project;

The Regional Empowered Committee (REC) in its 47th meeting held on 07.05.2021, considered and examined the proposal submitted by the State Government seeking approval under FCA, 1980. The committee noted that, as reported by the State Government, the project proponent i.e M/s Deccan Cements Limited obtained an approval by the erstwhile Regional Office, Bengaluru for diversion of 1.9337 ha vide order No. 4-APB633/2009-BAN/9848 dated 22.09.2011 for railway siding . However, the project proponent has brought up some construction activities in the adjoining forest land to an extent of 8.02 ha in due course of time in addition to the forest area diverted, hence the committee opined that the M/s Deccan Cements Limited utilized 8.02 ha in violation of FCA, 1980.

As recommended by the REC, the IRO, Hyderabad accorded Stage I approval vide letter dated 13.05.2021 and vide addendum dated 15.05.2021 imposed some additional conditions. In view of the OA No 33 of 2016 before Hon'ble NGT, SZ, Chennai, the subject proposal was forwarded to Ministry for concurrence, meantime the IRO, Hyderabad vide letter dated 04.06.2021 kept the Stage-I approval and addendum issued earlier in abeyance till further orders;

Considering all the facts and after careful consideration of the proposal and with the approval of the competent authority, I am to convey the revised in-principle (Stage-I) approval of the Government of India under Section '2' of Forest (Conservation) Act, 1980 for diversion of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad, for a period of 30 years, subject to the following conditions:-

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1. The legal status of forest land shall remain unchanged;
2. Compensatory afforestation shall be taken up by the State Forest Department over 8.839 ha of non forest area identified in Sy.No. 209, 195,199 & 210/1/2, Charakonda Village (i.e 8.02 ha for raising of plantation and Fencing, SMC *etc* for entire area i.e. 8.839 ha) at the cost of the User Agency;
3. The User Agency shall transfer and mutate entire non forest area identified for compensatory afforestation in favour of Forest Department and shall be declared as Reserved Forest under Section 4 or Protected Forest under Section-29 of Indian Forest Act, 1927 or under the relevant section(s) of the State Forest Act before Stage II approval and send a copy of the original Notification to this office along with the compliance report for information and record;
4. The approved CA land and CA scheme shall not be changed without prior approval of Central Government;
5. The State Government shall charge the Net Present Value(NPV) for the **8.02** ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard;
6. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;
7. Penalty of **2 times the NPV** as per provisions made in the comprehensive guidelines hand book under section 1.21 (iii) (a) for the entire area under violation of FCA, 1980;
8. The violation committed by the User Agency / Forest Department officials shall be dealt as per the provisions made in State Forest Act or FC Act and its Rules and guidelines made there under;
9. Penal Compensatory Afforestation (PCA) over 17 ha of degraded forest area Compt.No.9, Ramavaram RF, Pengadapa beat, Musalivarre (W), Ramavaram Range shall be carried out with financial outlay of Rs.120.3289 lakhs as per proposed PCA Scheme;
10. The user agency shall get the wildlife mitigation plan prepared by any competent person /agency and the same should be approved by the Chief Wildlife Warden and implemented at the cost of the User Agency;

11. The user agency has to deposit funds for erection of the Boundary Pillars throughout the entire length of Saidulanama RF so as to ease the further discrepancies if any.
12. User Agency has to erect a 4 ft height parapet wall on towards the Forest Boundary all along the length of the proposed diversion;
13. Trees standing within 8.02 ha shall not be felled;
14. In consultation with the DFO, Concerned, User Agency shall carryout plantation of long living and environmental tree species like Peepal (Ficus religiosa) Banyan (Ficu sbenghalensis), Tamarind (Tamarindus indica), Neem (Azaridicta indica), and Jamun (Syzygium cumini) etc in vacant area within the 8.02 ha,
15. The User Agency shall take prior approval of GoI for any new non forestry activity within 8.02 ha;
16. All the funds received from the User Agency under the project shall be transferred/ deposited to designated CAMPA account only through the portal (<https://parivesh.nic.in>);
17. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
18. The forest land proposed to be diverted shall under no circumstances be transferred or sublet to any other agencies, department or person without prior approval of Govt. of India;
19. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in>);
20. RoFR certificate (Form I) shall be obtained from the competent authority in the Ministry's prescribed format and the same shall be submitted to Integrated Regional Office, Hyderabad along with the compliance report;
21. The User Agency shall submit yearly self compliance report on conditions stipulated in the approval order to the IRO, Hyderabad and the State Government;
22. The total forest area utilized for the project shall not exceed **8.02 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. The User Agency shall furnish an undertaking to this effect;
23. The User Agency and the State Government shall ensure compliance to the all acts, rules, regulation and guidelines of the Ministry, for the time being in force, as applicable to the railway line projects;

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24. Any other condition that the Regional Officer (Central), Integrated Regional Office, Hyderabad 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;

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 Regional Officer (Central), Integrated Regional Office, Hyderabad.

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 noncompliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully

Sd/-

(R.Hemanth Kumar)

Regional Officer (Central), I/c IRO, Hyderabad

Copy to:-

1. The Principal Chief Conservator of Forests (HoFF)/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Telangana, AranyaBhavan, Saifabad, Hyderabad, PIN- 500 004.
2. M/s Deccan Cements Limited, 6-3-666/B Somajiguda, Nalgonda District, Telangana-500082
3. Guard file.

Sd/-

(R.Hemanth Kumar)

Regional Officer (Central), I/c IRO, Hyderabad

Signature Not Verified

Digitally signed by R
HEMANTH KUMAR
Date: 2021.07.30 14:30:22 IST