

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

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संयोजन क्रयते

F.No.4-TSB103/2017-CHN/W27

Date 21st July, 2017

To,

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

Subject: Diversion of 4.906 ha of forest land in Nizamabad Circle for laying of pipeline in **Segment 11/2 (Indalwai)** 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.2005/For.I (1)/2017-1 dated 07.06.2017 and online Proposal No. FP/TG/WATER/17917/2016 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.

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 4.906 ha of forest land in Nizamabad Circle for laying of pipeline in **Segment 11/2 (Indalwai)** 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.
- (iii) The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 4.906 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.
- (iv) Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government.

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- (v) The CA area identified at Amangal Division which is apportioned project wise shall be treated as per the CA scheme approved.
- (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;
- (vii) 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;
- (viii) The State Government shall charge the Net Present Value of the diverted forest land measuring 4.906 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.
- (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.
- (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 the Telangana State CAMPA. **The User Agency shall compulsorily deposit the CA and other levies only by generating challan through the Ministry's website.**
- (xi) The muck generated in the earth cutting if any, shall be disposed off at designated dumping sites and in no case the muck/debris will be disposed off in the forest areas.
- (xii) Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Divisional Forest Officer concerned.
- (xiii) State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.

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- (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.
- (xv) 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.
- (xvi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xvii) The user agency shall use existing paths and roads for laying of pipeline and no new paths / roads are to be formed.
- (xviii) As recommended by the DFO Nizamabad, the User agency shall erect two permanent boards at the entrance and exit points of the forest area proposed for diversion about status of the land.
- (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.
- (xx) The total forest area utilized for the project shall not exceed **4.906** ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.
- (xxi) 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 2 km each. The Chief Wildlife Warden is advised to develop a master plan to use the proposed pipelines for supply of water to the wildlife. Precautions have to be taken to avoid concentration of livestock at the water point.
- (xxii) The Progress of the Compensatory Afforestation as mentioned by the DFO, Nizamabad Division in Sl No 12 (v) (a) of part II i.e 22 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.
- (xxiii) 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.

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(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.

(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.

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 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.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 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, Telangana Drinking Water Supply Project, Nirmal, Telangana-504106.
6. Guard file.


(Dr.K.Ganesh Kumar)

Deputy Conservator of Forests (Central)

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