



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-TSB025/2016-CHN/1574

Date 28th September, 2017

To,

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

Subject: Diversion of 3.411 ha (i.e. 3.386 ha + 0.025ha) of forest land in Mancherial Division for laying of pipeline in segment 23/3 (Kotapally) for providing safe drinking water to Adilabad District under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP Circle, Nirmal- reg

Sir,

Please refer to the State Government's letter No.4360For.I (1)/2016-1 dated 25.10.2016 and online Proposal No. FP/TG/WATER/18269/2016 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 PCCF, Telangana vide letter No. 13680/2015/FCA-1 dated 07.06.2017 has reported that, the user agency has carried out construction of over head tank in 225 sqmts i.e. 0.025 ha of forest land in violation of Forest (Conservation) Act, 1980 and requested to issue State I approval for an extent of 3.411 ha (i.e. 3.386 ha + 0.025 ha) by imposing penalty for violation of FCA, 1980.

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 3.411 ha (i.e. 3.386 ha + 0.025ha) of forest land in Mancherial Division for laying of pipeline in segment 23/3 (Kotapally) for providing safe drinking water to Adilabad District under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP 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.

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- (iii) The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 3.386 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) Additional non forest land to an extent of 0.025 ha shall be identified and cost of afforestation over 0.025 ha of non forest land shall be charged and to be collected from the user agency. CA scheme and map with DGPS co-ordinates of the non forest land over 0.025 ha shall be furnished along with the compliance report;
- (v) The State Forest Department shall carry out the penal compensatory afforestation (PCA) over an extent of 0.025 ha in nearby degraded forest area at the cost of the user agency. The Location map along with DGPS coordinates of the degraded forest identified for penal compensatory afforestation and CA scheme including 7-10 years of maintenance shall be furnished along with the compliance report.
- (vi) Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government.
- (vii) The entire 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;
- (viii) 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;
- (ix) The State Government shall charge the Net Present Value of the diverted forest land measuring 3.411 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.
- (x) 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

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Court of India in future, shall be charged by the State Government from User Agency.

- (xi) 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**
- (xii) State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.
- (xiii) 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.
- (xiv) Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Divisional Forest Officer concerned.
- (xv) DGPS co-ordinates for the entire area of 3.411 ha and map shall be uploaded in the web portal against the subject online proposal and hard copy of the same shall be furnished along with the compliance report;
- (xvi) Details of revised extent of forest land for diversion, work in violation of FCA, 1980, additional CA land details along with CA scheme, map etc shall also be uploaded in the web portal;
- (xvii) The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the 0.025 ha of forest land where work in violation of FCA, 1980 has already been carried out by the user agency and submit the documentary evidence as prescribed by this Ministry. RoFR certificate in the prescribed format with all enclosures shall be furnished along with the compliance report;
- (xviii) The 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 30.05.2017 at the project cost.

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- (xix) 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.
- (xx) 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.
- (xxi) 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;
- (xxii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xxiii) The user agency shall use existing paths and roads for laying of pipeline and no new paths / roads are to be formed.
- (xxiv) 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.
- (xxv) The total forest area utilized for the project shall not exceed **3.411** ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.
- (xxvi) User agency and the State Government shall ensure compliance to provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.
- (xxvii) The Progress of the Compensatory Afforestation as reported by the DFO, Mancherla in part II under Sl No 12 (V) (a) & (b) i.e. 87.772 ha of forest land and 229.830 ha of non 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.
- (xxviii) 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

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afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.

- (xxix) 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,




(D.Sathiyam)

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, TDWSP Nirmal, Telangana, 504106
6. Guard file.



(D.Sathiyam)

Conservator of Forests (Central)

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



F.No.4-TSB025/2016-CHN/1147

Date 23rd July, 2018

To,

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

Subject: Diversion of 3.411 ha (i.e. 3.386 ha + 0.025ha) of forest land in Mancherial Division for laying of pipeline in segment 23/3 (Kotapally) for providing safe drinking water to Adilabad District under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP Circle, Nirmal- **Corrigendum-reg**

Sir,

Please refer to the State Government's letter No.4360/For.I (1)/2016-1 dated 25.10.2016 and online proposal No.FP/TG/WATER/18269/2016 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 PCCF, Telangana vide letter No. 13680/2015/FCA-1 dated 07.06.2017 has reported that, the user agency has carried out construction of over head tank in 225 sqmts i.e. 0.025 ha of forest land in violation of Forest (Conservation) Act, 1980 and requested to issue State I approval for an extent of 3.411 ha (i.e. 3.386 ha + 0.025 ha) by imposing penalty for violation of FCA, 1980.

2. Accordingly, the Regional Office, Chennai vide letter dated 28.09.2017 has conveyed the Central Government's in-principle approval (**Stage-I**) under Section '2' of Forest (Conservation) Act, 1980 for diversion of 3.411 ha (i.e. 3.386 ha + 0.025ha) of forest land in Mancherial Division for laying of pipeline in segment 23/3 (Kotapally) for providing safe drinking water to Adilabad District under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP Circle, Nirmal, subject to certain conditions.

3. The PCCF, Telangana vide letter No. 13680/2015/FCA-1 dated 03.11.2017 has reported that, as per the DGPS survey data, the area proposed for diversion comes to 3.416 ha and requested to issue corrigendum to in-principle approval for an extent of 3.416 ha (i.e. 3.386 ha + 0.030 ha).

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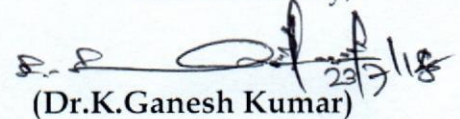
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4. In connection to the above I am directed to convey the in-principle approval of the central Government for an additional forest area of 0.005 ha (in addition to 3.411 ha for which Stage I has already been accorded), subject to the following conditions;

- (i) Additional non forest land to an extent of 0.005 ha shall be identified and cost of afforestation over 0.005 ha of non-forest land shall be levied and to be collected from the user agency. CA scheme and map with DGPS co-ordinates of the additional non-forest land of 0.005 ha shall be furnished along with the compliance report;
- (ii) The State Forest Department shall carry out the penal compensatory afforestation (PCA) over an extent of 0.005 ha in the nearby degraded forest area at the cost of the user agency. The location map along with DGPS coordinates of the degraded forest land and CA scheme incorporating 7-10 years of maintenance shall be furnished along with the compliance report.
- (iii) The State Government shall charge the Net Present Value of the diverted forest land measuring 3.416 ha (3.411 ha + 0.005 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.
- (iv) The total forest area utilized for the project shall not exceed **3.416 ha (3.411 ha + 0.005 ha)** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;
- (v) Revised map for an entire forest area of 3.416 ha along with DGPS co-ordinates shall be furnished;
- (vi) The State Government / User Agency shall comply with all other conditions stipulated in the Stage I approval order dated 28.09.2017 in addition to the above conditions and shall furnish compliance report accordingly.

Yours faithfully,


(Dr.K.Ganesh Kumar)

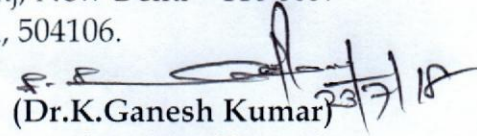
Deputy Conservator of Forests (Central)

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.

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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, Telangana, 504106.
6. Guard file.


(Dr.K.Ganesh Kumar)

Deputy Conservator of Forests (Central)

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