

**GOVERNMENT OF TELENAGANA
FOREST DEPARTMENT**

From:
Sri A. Narasimha Reddy,
Forest Divisional Officer,
KAGHAZNAGAR.

To
The Superintending Engineer,
TDWSP (RWS&S) Circle,
NIRMAL.

Re.No. 896/2016-D1, Dt. 22.02.2018

DEMAND NOTICE

Sir,

Sub: - Forest(Conservation) Act -- Diversion of 3.876 Ha of Forest land in Kaghaznagar Forest Division of erstwhile Adilabad District presently Komaram Bheem Asifabad District-- for laying of Pipe Line and construction of Structures in Segment-22/2 (Bejjur)- under Telangana Drinking Water Supply Project in favour of Superintending Engineer,TDWSP (RWS&S) Circle, Nirmal --In-principle (Stage-I) approval accorded- Order communicated - Demand Notice for 3.876 Ha. Area falling in Kaghaznagar Division --Reg.

- Ref: -**
1. GOI, MoEF & CC, Regional Office, Chennai, F.No. 4-TSB053/2017-CHN/1077, Dt 12.07.2017.
 2. PCCF, TS Hyd, Rc. No. 3727/2016-FCA-I, Dt. 31.07.2017.
 3. Standing Committee of NBWL vide Ministry's letter No. 6-69/2017/WL dt 02.06.2017
 4. FDO Kaghaznagar Rc. No. 896/2016-D1, dt. 20.10.2017.
 5. Demand notice vetted by APCCF (FCA) Nodal Officer, dt 21.10.2017.
 6. Prl.CCF (WL) & CWLW, Hyderabad 13517/2016-WL-1 dt 31.01.2018.

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Copies of the references cited, are enclosed herewith. The Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal is requested to go through the references carefully and fulfill the conditions stipulated in the references cited, the conditions are as follows.

Sl. No.	Conditions stipulated by the GOI MoEF in Stage-I approval.	Conditions to be fulfilled by the User Agency															
1	2	3															
i	Legal status of the diverted forest land shall remain unchanged.	It continues to be Reserve Forest.															
ii	The demarcation of the forest area proposed for diversion 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.	<p>The Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal is requested to deposit an amount of Rs. 22,29,520/- in favour of Forest Divisional Officer, Kaghaznagar PD A/c No. 37130525073, State Bank of India, Branch: Sirpur - Kaghaznagar IFSC Code : SBIN0020121.</p> <table> <tr> <th>Sl. No</th><th>Item</th><th>Amount (in Rs.)</th></tr> <tr> <td>1.</td><td>Felling & Extraction of forest produce.</td><td>Rs. 68,000/-</td></tr> <tr> <td>2</td><td>111 Nos Big Pillars at an interval of 500 Mts @ 7500/- each (Rs. 8,32,500/- + Rs.83,250 (10%)</td><td>Rs. 9,15,750/-</td></tr> <tr> <td>3</td><td>2074 Nos Small Pillars at an interval of 20 Mts @ 550/- each Rs.11,40,700/- + Rs.1,14,070 (10%)</td><td>Rs.12,45,770/-</td></tr> <tr> <td colspan="2">Total :</td><td>Rs. 22,29,520/-</td></tr> </table>	Sl. No	Item	Amount (in Rs.)	1.	Felling & Extraction of forest produce.	Rs. 68,000/-	2	111 Nos Big Pillars at an interval of 500 Mts @ 7500/- each (Rs. 8,32,500/- + Rs.83,250 (10%)	Rs. 9,15,750/-	3	2074 Nos Small Pillars at an interval of 20 Mts @ 550/- each Rs.11,40,700/- + Rs.1,14,070 (10%)	Rs.12,45,770/-	Total :		Rs. 22,29,520/-
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iii	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 3.876 ha out of 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	<p>The User Agency is requested to deposit the following CA amount only through e-payment method by generating the Challan from the Ministry's web portal (www.forestsclearance.nic.in) as per the GOI MoEF & CC Regional Office Chennai F. No. 4-TSB648/2009-BAN/1919, dt. 28.11.2017. (Copy enclosed)</p> <table> <tr> <th>Sl No</th><th>Item</th><th>Amount in Rs.</th></tr> <tr> <td>1</td><td>CA scheme for raising of plantations</td><td>Rs. 56,55,900/-</td></tr> </table>	Sl No	Item	Amount in Rs.	1	CA scheme for raising of plantations	Rs. 56,55,900/-									
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iv	The State Government has proposed 1876 ha of Non forest land for compensation afforestation under the subject proposals as part of 187677 ha of non forest land identified for entire 115WSP Project (Mission Bhageeratha Project). The CA land identified to the extent of 187677 ha for the mission Bhageeratha project under the working control of WLM division Nagajunsagar 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 proposals.	To be complied by the Forest Divisional Officer, WLM, Nagajunsagar.									
v	Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government	: Undertaking to be given by the User Agency.									
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	: Shall be complied by the User Agency.									
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 Reserve 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 6months 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.	: Shall be complied by the User Agency.									
viii	State Forest Department shall carry out the penal compensatory Afforestation (PCA) over an extent of 2,112 ha in nearby degraded forest area at the cost of the user agency.	The User Agency is requested to deposit the following CA amount only through e-payment method by generating the Challan from the Ministry's web portal (www.forestclearance.nic.in) as per the GOI MoEF & CC Regional Office Chennai F. No. 4-TSB648/2009-BAN/1919, dt. 28.11.2017. (Copy enclosed)									
ix	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 with the compliance report.	<table><tr><th>Sl No</th><th>Item</th><th>Amount in Rs.</th></tr><tr><td>1</td><td>Penal CA</td><td>Rs. 16,27,000/-</td></tr><tr><td colspan="2">Total</td><td>Rs. 16,27,000/-</td></tr></table>	Sl No	Item	Amount in Rs.	1	Penal CA	Rs. 16,27,000/-	Total		Rs. 16,27,000/-
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		Compartment No. 84 of Easgaon Beat of Vempally Section of Kaghaznagar Range.									

xi	The State Government shall charge the Net Present Value of the diverted forest land measuring 3.834 ha from user Agency as per the orders of the Hon'ble Supreme Court dt 28.03.2008 and 09.05.2008 in IA No. 826 in 566 with related IA's in Writ Petition (Civil) No. 202/1995.	The User Agency is requested to deposit the amount only through e-payment method by generating challan from the Ministry's web (www.forestclearance.nic.in) as per the GOI MoU Regional Office Chennai F. No. 4-TSIB648/2009-BAN/19 dt. 28.11.2017. (Copy enclosed)																					
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xii	The funds received from the User Agency towards Compensatory afforestation and Net Present value and this project includes levies towards mitigation measures for wild life conservation etc Shall be deposited in the respective accounts of the Telangana State CANIPA. The User agency compulsorily deposit the CA and other levies on by generation challan through Ministry's Website.	Shall be complied by the User Agency.																					
xiii	State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.	Translocation of trees is not proposed.																					
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.	Undertaking to be given by the User Agency.																					
xv	Tree felling in the propose forest area shall be carried out wherever necessary with the prior permission of the Divisional Forest Officer Concerned	Under taking to be given by the User Agency.																					
xvi	State Government and the user agency shall implement mitigation measure and other conditions as recommended by the standing Committee of NBWL vide Ministry's letter No. 6-69/2017/WL dt 02.06.2017 at the project cost.	<p>The user agency shall be deposited the Mitigation measure amount in the Bio Diversity Conservation Society of Telangana (BIOSOT) account the details of which are as under</p> <table border="1"> <tbody> <tr> <td>Name of the Account</td><td>:</td><td>Bio diversity Conservation Society of Telangana</td></tr> <tr> <td>Name of the Bank</td><td>:</td><td>Andhra Bank</td></tr> <tr> <td>Name of the Branch</td><td>:</td><td>Secretariat Branch, Hyderabad</td></tr> <tr> <td>Account Number</td><td>:</td><td>110310100030284</td></tr> <tr> <td>IFSC Code</td><td>:</td><td>ANDB0001103</td></tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Sl No</th><th>Item of Work</th><th>Amount in Rs</th></tr> </thead> <tbody> <tr> <td>1</td><td>Mitigative measures as recommended by standing committee of NBWL vide Ministry's letter No. 6-69/2017/WL dt 02.06.2017 & PCCF WL & CWLW Rc. No. 13517/2016/WL-I, dt. 31.01.18</td><td>35,49,300/-</td></tr> </tbody> </table>	Name of the Account	:	Bio diversity Conservation Society of Telangana	Name of the Bank	:	Andhra Bank	Name of the Branch	:	Secretariat Branch, Hyderabad	Account Number	:	110310100030284	IFSC Code	:	ANDB0001103	Sl No	Item of Work	Amount in Rs	1	Mitigative measures as recommended by standing committee of NBWL vide Ministry's letter No. 6-69/2017/WL dt 02.06.2017 & PCCF WL & CWLW Rc. No. 13517/2016/WL-I, dt. 31.01.18	35,49,300/-
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xix	provide free supply of water for forest nurseries and field staff quarters and range offices, beside providing outlets with small through during summer for wild animals in the forest areas. 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 Kms each. Precautions have to be taken to avoid concentration of livestock at the water point.	The User Agency shall comply with as requested in F.D.O. Kaghaznagar Rc. No. 894/2016-d1, Dt. 05.02.2018
xx	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	The User Agency shall comply with as requested in F.D.O. Kaghaznagar Rc. No. 894/2016-d1, Dt. 05.02.2018
xxi	The layout plan of the proposal shall not be changed without the prior approval of the Central Government	Undertaking to be given by the User Agency.
xxii	The user agency shall use existing paths and roads for laying of pipeline and no new paths / roads are to be formed.	Undertaking to be given by the User Agency.
xxiii	Minimal disturbance should be ensured by creating labour camps outside the forest area as far as possible and it will be responsibility of the UA to ensure that the labours & staff engaged / execution of work do not destruct nearby forest flora & fauna	Undertaking to be given by the User Agency.
xxiv	The total forest area utilized for the project shall not exceed 3.834 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal	Undertaking to be given by the User Agency that, the forest area to be diverted for this project should not exceed than 3.834 Ha. as per MoEF, GOI F. No. 4-TSB653/2017-CHN/1077, dt. 12.07.2017.
xxv	User agency and the state Government shall ensure compliance to provisions of the all Acts, Rules, Regulation and Guidelines, for the time being in force, as applicable to the project.	Under taking to be given by the User Agency.
xxvi	The progress of the Compensatory Afforestation under the jurisdiction of D.F.O. Kaghaznagar Division shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Officer to upload the same in the web portal.	The progress of the Compensatory Afforestation under the jurisdiction of D.F.O. Kaghaznagar Division will be monitored by the Circle Head and a copy of such monitoring report will be submitted to the Regional Officer to upload the same in the web portal.
xxvii	Any other conditions that the Central Government or Addl. PCCF(Central) of Regional Officer 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	Undertaking to be given by the User Agency.
xxviii	In the event of failure to comply with any of the above condition the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Officer Chennai.	Undertaking to be given by the User Agency.

Further, the User Agency is requested to comply with the following accordance with the Government of India instructions issued vide F.No.7-23/2012-FC, Dt.24.07.2013 communicated vide PCCF's Re.No.45921/2001-F4, Dt.23.08.2013 and publish the orders at the cost of the project proponent.

1. Publish the entire forest clearance granted in verbatim along with the conditions and safe-guards imposed by the Central Government in two widely circulated daily newspapers, one in vernacular

- to the project proponent for use of forest land for non-forest purpose.
2. The copies of the Forest Clearance should also be submitted to the Head of local bodies, Panchayats and Municipal Bodies by the project proponents in addition to the relevant offices of the Government who in turn has to display the same in 30 days from the date of receipt of this reference.

Further the Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal is requested to furnish the copies of Paper clippings about the publishing of forest Clearance etc., as instructed by the Prl. Chief Conservator of Forests TS Hyderabad vide reference 2nd cited the said reference along with its enclosures are enclosed for their ready reference.

The user agency has to strictly comply with all other conditions imposed as per the GOI MoEF & CC Regional Office Chennai F. No. 4-TSB053/2017-CHN/1077, dt. 12.07.2017 guidelines and Prl.CCF HoFF T.S. Hyderabad Ref. No. 3727/2016/FCA-I, Dt. 31.07.2017 and GOI MoEF & CC Regional Office Chennai F. No. 4-TSB648/2009-BAN/1919, dt. 28.11.2017 (Copies enclosed)

Further it is also informed that, this in-principle approval shall be valid for a period of 5 years. In the event of non-compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

The User Agency is also request to note that the work should commence only after receiving working permission from the Principal Chief Conservator of Forests (HoFF), Telangana Hyderabad. Any violations of the above will attracts Penal Compensatory Afforestation.

Therefore it is requested to refer all the references in connection with this case with utmost care and furnish the required information as called in this case urgently for taking further course of action.

This should be attended top priority.

Encl:

- 1) GOI MoEF & CC Regional Office Chennai F. No. 4-TSB053/2017-CHN/1077, dt. 12.07.2017
- 2) Guidelines and Prl.CCF HoFF T.S. Hyderabad Ref. No. 3727/2016/FCA-I, Dt. 31.07.2017
- 3) Standing Committee of NBWL vide Ministry's letter No. 6-69/2017/WL dt 02.06.2017

Yours faithfully,

Sd/-
Forest Divisional Officer,
Kaghaznagar

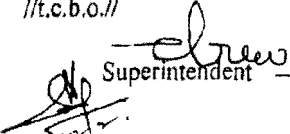
.Copy submitted to the Additional Principal Chief Conservator of Forests, / Nodal Officer for Forests (Conservation) O/o Principal Chief Conservator of Forests, TS, Hyderabad for favour of information.

Copy submitted to the Chief Conservator of Forests, Adilabad Circle, Adilabad for favour of information.

Copy submitted to the District Forest Officer, Kumrambheem Asifabad for favour of information.

Sd/-
Forest Divisional Officer,
Kaghaznagar

//t.c.b.o.//


Superintendent

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