

GOVERNMENT OF TELANGANA
FOREST DEPARTMENT

From:

Sri R M Dobriyal, IFS,
Prl. Chief Conservator of Forests &
Head of Forest Force (FAC),
Aranya Bhavan,
HYDERABAD (TS) 500 004.

To

**The Special Chief Secretary to the
Government,**
Forest Department,
Telangana, Secretariat,
Hyderabad.

Rc.No.8764/2018-FCA2, Dated.21.05.2022.

Sir,

Sub:- TSFD – F(C) Act, 1980 – proposal for *diversion of 1.8571 ha* forest land for constructions of 4 lane access controlled **New Green field Highway** Section of NH 365 BG Khammam to Devarapalli passing through the Compt.No.40, Velugumetla RF to a length of 309.52 m and width of 60.00 m of Khammam forest Division of Khammam District in favour of Project Director, PIU, NHAI, Khammam– compliance submitted -Working Permission issued – **submission of compliance report** - Reg.

Ref:-

1. Govt. Lr. No. 4617/For.I(1)/2021, EFS&T (FOR.I) Dept. dt. 23.12.2021 (addressed to R.O. IRO, Hyd)
2. IGF(C), GoI, MoEF&CC, IRO, Hyderabad F.No. 4-TSB232/2021-HYD/ 182, dt.27.12.2021.
3. Project Director, PIU, NHAI, Khammam Lr.No.NHAI/PIU-KMM/K-D/2022/5071, dt.21.02.2022.
4. CF, Khammam Rc.No.309/2021/M11, dt.22-04-2022 & 27.04.2022.
5. PCCF's Ref.No.8764/2018/FCA-2, dt. 17.05.2022.

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Kind attention of the State Govt. is invited to the reference cited.

In the reference 2nd cited, the IRO, MoEF&CC, GoI, Hyderabad has accorded in-principle (Stage-I) approval for diversion of **1.8571 ha** forest land for constructions of 4 lane access controlled **New Green field Highway** Section of NH 365 BG Khammam to Devarapalli passing through the Compt.No.40, Velugumetla RF to a length of 309.52 m and width of 60.00 m of Khammam forest Division of Khammam District in favour of Project Director, PIU, NHAI, Khammam, with certain conditions stipulated therein.

The User Agency i.e., *Project Director, PIU, NHAI, Khammam* has deposited the following compensatory levies as per the conditions stipulated in the Stage-I approval accorded:

S. No	Condition No. as per Stage I approval	Description of the Item	Amount to be deposited by the User Agency Amount in Rs.	Remarks
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1	v	NPV	11,62,545	Deposited in to Ad-hoc CAMPA Account through e-Payment mode, against the project FP/TG/ROAD/142433/2021, which is reflected as "PAID" in Ministry's portal.
2	iii, iv	CA in DFL	35,00,000	
Sub Total of S.No. 1 to 2			46,62,545	
3	Part – II and Field inspection Notes	Cost of extraction of tree growth and transportation – 41 No's @ Rs 3266 /- trees to be extracted	1,33,890	Rs. 5,77,890/- Deposited on 11.01.2022 through RTGS reference no.299530438966195 & -CNRBR52022011174996012 In the SB A/c. bearing No. 62420297901, IFSC Code: SBIN0020324 of State Bank of India, Gandhi Chowk Branch, Khammam, in the name of Forest Divisional Officer, Khammam
4	ii	construction of boundary pillars	3,84,000	
5	Part II	Fixing of sign boards – 4 Nos	60,000	
Sub Total of S.No. 3 to 5			5,77,890	

Condition-wise compliance report as submitted by the CF, Khammam vide reference 4th cited is furnished below:

S. No.	MOEF&CC, RO, Hyderabad Conditions	Compliance submitted by the CF, Khammam
i	Legal status of the diverted forest land shall remain unchanged.	Yes, the Legal Status of diverted forest land shall remain unchanged;
ii	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 the User Agency;	Erection of 4 feet high cement concrete pillars will be carried out by the Forest Department for which an amount of Rs.3,84,000/- (Part amount of Rs.5,77,890/- Sl. no.2) has been deposited into State Bank of India, Gandhi Chowk Branch. Account No. 62420297901 as per FDO, Khammam Demand Notice issued vide letter Rc. No.1215/2021/S3, dated 03.01.2022. The same was deposited on 11.01.2022 through RTGS vide reference no.299530438966195. & - CNRBR52022011174996012 (Copy Enclosed as Annexure-I).
iii	The State Forest Department shall carry out compensatory afforestation in identified degraded forest land over an extent of 3.7142 ha in Compt No 40, Velugumatla RF, Beat, Khammam Range, at the cost of the User Agency.	The User Agency has deposited an amount totaling to Rs. 46,62,545/- (towards NPV Rs. 11,62,545 + CA for raising plantation in double the extent of forest land proposed for diversion Rs. 35,00,000/-) , against the project FP/TG/ROAD/142433/2021, which is reflected as "PAID" in Ministry's portal. A copy of the screen short obtained from Ministrys portal is enclosed herewith.

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iv	Degraded forest land identified for CA purpose and CA scheme shall not be changed without prior approval of the Central Government;	An Undertaking in this regard is enclosed as Annexure-III.
v	The State Government shall charge the Net Present Value of the diverted forest land measuring 1.8571 ha from the 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.	The User Agency has deposited an amount totaling to <u>Rs. 46,62,545/-</u> (towards NPV Rs. 11,62,545 + CA for raising plantation in <u>double the extent of forest land proposed for diversion Rs. 35,00,000/-</u>), against the project FP/TG/ROAD/142433/2021, <i>which is reflected as "PAID" in Ministry's portal.</i> A copy of the screen short obtained from Ministrys portal is enclosed herewith.
vi	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 the User Agency. The User Agency shall furnish an undertaking to this effect;	An Undertaking in this regard is enclosed as Annexure-IV.
vii	All the funds received from the User Agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/)	The User Agency has deposited an amount totaling to <u>Rs. 46,62,545/-</u> (towards NPV Rs. 11,62,545 + CA for raising plantation in <u>double the extent of forest land proposed for diversion Rs. 35,00,000/-</u>), against the project FP/TG/ROAD/142433/2021, <i>which is reflected as "PAID" in Ministry's portal.</i> A copy of the screen short obtained from Ministrys portal is enclosed herewith.
viii	The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;	Agreed, accordingly an undertaking is enclosed as <u>Annexure-VI</u>
ix	Construction of culverts / bridges, if any, over the natural streams/rivers/canals shall be done in such a manner that it does not hamper the natural course of water, does not give rise to water logging, and also does not hamper movement of wild animals;	Agreed, accordingly an undertaking is enclosed as <u>Annexure-VII.</u>
x	Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil.	Agreed, accordingly an undertaking is enclosed as <u>Annexure-VIII.</u>
xi	The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area	Yes, dug out material/ overburden will not be left in Forest areas. Accordingly an Undertaking is enclosed as <u>Annexure-IX.</u>

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xii	The layout plan of the proposal shall not be changed without the prior approval of the Central Government;	Proposed layout plan will not be changed without prior approval of Central Government. Accordingly an Undertaking is enclosed as <u>Annexure-X</u> .
xiii	Compensation for the eligible holders of RoFR title deeds may be settled as per the provisions of LARR, Act, 2013;	It has been reported that the DFO, Khammam has reported that, the Dist. Collector, Khammam has certified vide Lr.No.A6/RoFR/ITDA/1933/2021, Dt.20.12.2021, in Annexure-I (FORM-I) that, there are (11) claimants who have applied for individual rights under FRA for the land proposed for diversion to an extent of 1.8571 Ha for construction of four lane access controlled New Green Field Highway Section of NH-365 BG Khammam to Deverapalli. Further, the Dist. Collector, Khammam has certified that when process of settlement of rights is completed, compensation to the holders of RoFR title deeds shall be settled as per LARR Act, 2013. It has been informed that the compensation for the eligible holders of RoFR title deeds will be borne by the NHAI if any, as on when decided by the Dist Collector and Competent Authority of Land Acquisition as per the rules in vogue and on par with other land holders in vicinity as per the eligible provisions of LARR, Act, 2013.
xiv	The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and no labour camp shall be established inside the forest area;	Alternate fuel will be provided to labourers and no fire wood will be collected from Forest area. Accordingly an undertaking is enclosed as <u>Annexure-XI</u> .
xv	Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be the responsibility of the User Agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;	All labour camps will be established outside the Forest areas and no destruction of forest areas will be caused. Accordingly an undertaking is enclosed as <u>Annexure-XII</u> .
xvi	The total forest area utilized for the project shall not exceed 1.8571 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;	The Forest area of 1.8571 Ha will be utilized for the Project Highway Widening purpose only in Khammam Forest Division Accordingly an undertaking in this regard is furnished herewith as Annexure-XIII.
xvii	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	No part of proposed diverted Forest Land will be transferred or sublet to any other agency, department or person without prior approval of the Central Government. Accordingly an undertaking is enclosed as

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	Government;	<u>Annexure-XIV.</u>
xviii	The 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	Provisions of all Acts, Rules, Regulations and Guidelines will be complied by NHAI. Accordingly an undertaking is enclosed as <u>Annexure-XV.</u>
xix	Any other conditions that the Central Government or Regional Officer (Central) of 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;	Agreed, accordingly an undertaking is enclosed as <u>Annexure-XVI.</u>
xx	In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the rules / guidelines issued under FCA, 1980.	Agreed.
xxi	The State Government shall process and submit compliance report on the above conditions through online (https://parivesh.nic.in/);	Agreed.

Further, the CF, Khammam has informed that the UA has fulfilled the following conditions:

S.No.	P.C.C.F. (HoFF), Hyderabad Conditions	NHAI, PIU, Khammam Compliance
1	Publish the entire forest clearances granted to the project proponent for the use of forest land for the non-forest purposes in verbatim along with the condition(s) and safe-guards imposed by the Central Government in two widely circulated daily news paper i.e., one is vernacular language and the other in English.	Approved Forest Clearance along with the condition(s) and safe-guards imposed by the Central Government has been published in News papers i.e. Telugu daily "Andhra Jyothi" and English daily "The Hindu" on 01.01.2022. (Copy enclosed as Annexure <u>XVII</u>).
2	The copies of the forest clearance should also be submitted to the heads 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 for 30 days from the date of receipt of this reference.	NHAI, PIU, Khammam has submitted the forest Clearance copies to the heads of local bodies, Panchayats and municipal bodies by the project proponents in addition to the relevant offices of the Government & requested to display the same for 30 days from the date of receipt vide this office Ir.no. 4715 dated 29.12.2021 (Copy enclosed as Annexure <u>XVIII</u>).

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Vide ref 5th cited (copy enclosed), working permission was accorded to the UA subject to payment of RoFR compensation by the User Agency to the concerned as per condition no 13 of Stage-I approval.

In view of the above, the compliance report of Conservator of Forests, Khammam along with necessary enclosures are submitted herewith in triplicate for onward submission to the IRO, MoEF&CC, GoI, Hyderabad for according Stage II (final) approval of the project.

Yours faithfully,

Sd/- R.M Dobriyal,


Prl. Chief Conservator of Forests
(Head of Forest Force)(FAC)

Copy to the Conservator of Forests, Khammam / District Forest Officer, Khammam for information and necessary action.

Copy submitted to the Project Director, PIU, NHAI, Khammam / Regional Officer, NHAI, Hyderabad for favour of information.

Copy to the District Collector, Khammam for information and necessary action.

//TRUE COPY//


for Prl. Chief Conservator of Forests


28/5/22