

I/153501/2023

**GOVERNMENT OF TELANGANA
FOREST DEPARTMENT**

From
Sri R M Dobriyal, IFS,
Prl. Chief Conservator of Forests
& Head of Forest Force,
Telangana State, “Aranya Bhavan”,
Saifabad, Hyderabad.500004

To
The Special Chief Secretary to Govt,
Forests Department,
Telangana State, 4th floor, Aranya bhavan,
Saifabad, Hyderabad. 500004

Ref.No. FC1/FC03/09/2022 Dated: 19/05/2023.

Madam,

Sub: TSFD - F(C) Act, 1980 – Diversion of 0.8819 ha forest land for formation of approach road from Nagarjunasagar main Road to reach Vipasyana Meditation Centre situated in Sy.No.151 of Sahabnagar Kalan (V), Hayathnagar (M) of RR Dist through Gurramguda RF of Rangareddy District in favour of Sri B.Satya Prakash Rao, R/o Hyderabad and others –**Stage-I accorded– submission of compliance report** - reg.

- Ref:**
1. DIGF(C), GoI, MoEF&CC, IRO, Hyderabad F.No.4-TSB298/2022-HYD/851, dt.14.12.2022.
 2. PCCF, TS, Hyd Lr.No. FC1/FC03/9/2022, dt.04.01.2023.
 3. R/o Sri Satya Prakash Rao, R/o Shaebnagar Kalan, Hayathnagar Mandal dt.05.01.2023 received through email on 07.01.2023
 4. PCCF, TS, Hyd Lr.No. FC1/FC03/9/2022, dt.07.01.2023.
 5. R/o Sri B Satya Prakash Rao, R/o Hyd lr.dt.22.02.2023.
 6. PCCF, TS, Hyd Lr.No. FC1/FC03/9/2022, dt.13.03.2023.
 7. Conservator of Forests Charminar Lr.No.485609/777/2022/M2/M3, dt.10.03.2023.
 8. PCCF, TS, Hyd Lr.No. FC1/FC03/9/2022, dt.21.03.2023.
 9. District Forest Officer, Vikarabad Lr.No.195/2023/A2, dt.23.03.2023 & 17.04.2023.
 10. Chief Conservator of Forests, Charminar Circle, Hyderabad Lr.No.485609/777/2022/M2/M3, dt.18.04.2023 & 11.05.2023.

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Kind attention is invited to the references cited.

The Chief Conservator of Forests, Charminar Circle, Hyderabad vide reference 10th cited has submitted condition-wise compliance report on the Stage-I approval accorded by the IRO, MoEF&CC, GOI, Hyderabad for the subject project vide 1st cited.

The condition-wise compliance report is reproduced with remarks as follows:

<u>C.No</u>	<u>Description of the Condition as per In-Principle (Stage-I) Approval</u>	<u>Compliance</u>

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i.	Legal status of the diverted forest land shall remain unchanged.	Yes, The Legal status remains unchanged will be complied with. An undertaking is submitted herewith. (Annexure-I)
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.	The User Agency has deposited an amount of Rs.2,20,000/- (Rupees Two Lakhs Twenty Thousand only) vide Cheque No. 003703 dated 31/03/2023 with UTR No. ICICR52023033100378383 (Copy enclosed as ANNEXURE-XX) in the CA PD Account of Forest Divisional Officer, Amangal A/c No. 145311100001547, IFSC Code UBIN0814539, Union Bank of India, Amangal Branch.
iii.	As per the undertaking submitted by the User Agency, equivalent non-forest land (0.8819 ha) contiguous to existing forest land in Telangana shall be identified for CA purpose and such non-forest land shall be mutated in favour of the State Forest Department and handed over to the SFD. The SFD shall prepare CA Scheme for the NFL handed over to SFD and submit along with the compliance report.	The User Agency has identified non forest private patta land to an extent of 1.21 Ha in Sy.No 11/E/1, Bahadurpur (V), Bashirabad (M), Tandur Division, Vikarabad District, Telangana State adjacent to the existing Reserve Forest boundary for CA. A detailed CA Scheme, soil suitability, CA Land Map is enclosed herewith. As per the compliance report submitted by the District Forest Officer Vikarabad the NFL has been mutated in favour of Forest Department vide Documents no 401/2023 of Tahsildar & Sub Registration Basheerabad and also entered in Dharni portal of Sy.No.11/E/1 to an extent of 3.00 Acres Bahadurpur Village Basheerabad Mandal of Vikarabad District. The copy of Dharani Portal receipt and mutation documents are enclosed.
iv.	The details of non-forest area to be identified for CA purpose, i.e., Map, CA scheme, kml file, soil suitability certificate etc, shall be submitted along with the compliance report and to be uploaded in the online application.	The User Agency has submitted the Map of NFL selected for CA. Detailed CA Scheme approved by PCCF(HoFF), Soil suitability, and other details are enclosed
v.	As the CA land and scheme are not yet finalized, the State Government shall not accord working permission in the instant proposal to avoid a situation of	The User Agency has submitted an Undertaking certificate enclosed (Annexure-II, Condition-V).

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	fait accompli and also ensure that there is no road work carried out by the user agency in the proposed forest area till the final approval is accorded		
vi.	The State Government shall charge the Net Present Value of the diverted forest land measuring 0.8819 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 and revised NPV as per the Ministry's guideline No.5-3/2011-FC(Vol-I) dated 06.01.2022 and clarification issued vide letter dated 19.01.2022 and 22.03.2022;	User Agency has deposited an amount of Rs. 1,20,38,805/- (Rs.1,17,88,805/- on 31.03.2023 & Rs.2,50,000/- on 06.04.2023) through NEFT/ RTGS Challan generated from parivesh portal of MoEFCC as per the demand notice issued by the District Forest Officer and the same is reflected as "Paid" in the Ministry Portal, against File No FP/TG/ROAD/147456/2021.	
		Cost of NPV	8,44,666
		5' feet on either side of the road shall be used for raising Strip plantation	29,44,139
		Chain link fencing per km Rs.40,00,000	40,00,000
		Cost of CA	42,50,000
		TOTAL	1,20,38,805/-
vii.	Additional amount of 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.	The User Agency has submitted an Undertaking certificate enclosed (Annexure-III, Condition No.vii).	
Viii.	All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only though e-portal (http://parivesh.in)	User Agency has deposited an amount of Rs. 1,20,38,805/- (Rs.1,17,88,805/- on 31.03.2023 & Rs.2,50,000/- on 06.04.2023) through NEFT/ RTGS Challan generated from parivesh portal of MoEFCC as per the demand notice issued by the District Forest Officer and the same is reflected as "Paid" in the Ministry Portal, against File No FP/TG/ROAD/147456/2021.	
		Cost of NPV	8,44,666
		5' feet on either side of the road shall be used for raising Strip plantation	29,44,139
		Chain link fencing per km Rs.40,00,000	40,00,000
		Cost of CA	42,50,000

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		TOTAL	1,20,38,805/-
ix.	No display of advertisement / any such boards shall be erected in the forest area proposed for diversion.	The User Agency has submitted an Undertaking certificate enclosed (Annexure-IV, Condition No.ix)	
x.	The User Agency shall ensure no plastic waste/ any garbage dumped in the forest area;	The User Agency has submitted an Undertaking certificate enclosed (Annexure-V, Condition No.x)	
xi.	In the entrance of the road, display board clearly indicating the details of diversion and legal status of the land being diverted shall be erected to sensitize the public on applicability of the rules/ regulation to be followed inside the forest area.	The User Agency has submitted that Two display (In English and Telugu) boards of 3'x4' is erected at the entrance of the road clearly indicating the details of diversion as per the In-Principle (Stage I) approval. Photographic evidence is enclosed.	
xii.	The road shall be formed in a width of 40-50 feet (including BT, Shoulders and Drainage) and remaining width of 5 feet on either side of the road shall be used for raising strip plantation. Further, no median should be constructed in this road to facilitate easy movement of wild animals from one side to the other side of the forest.	<p>The User Agency has submitted an Undertaking certificate enclosed (Annexure-VI, Condition No.xii).</p> <p>Further, it has been informed that the User Agency has deposited an amount of Rs.29,44,139/- in the Telangana CAMPA through e-payment for raising strip plantation with a width of 5 feet on either side of the road .</p> <p>The request made by the User Agency to exempt the condition no. xii i.e., "Further, no median should be constructed in this road to facilitate easy movement of wild animals from one side to the other side of the forest" may be considered. As the movement of the animals on the said road will be blocked by the chain-link fencing to be erected on the either side of the road, Further, two underpasses will be constructed for uninterrupted movement of animals living in the forest area..</p>	
xiii.	Two animal underpasses shall be constructed in consultation with the DFO concerned for uninterrupted movement of animals living in the forest area, by the User Agency.	The User Agency has submitted an Undertaking certificate enclosed (Annexure-VI, Condition No.xiii).	
	The forest area proposed to be diverted for the approach road shall be fenced	User Agency has deposited an amount of Rs. 1,20,38,805/- (Rs.1,17,88,805/- on 31.03.2023 &	

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xiv.	with chain-link fencing on either side of the road throughout the length of the road to avoid any collision of vehicles and the wild animals	Rs.2,50,000/- on 06.04.2023) through NEFT/ RTGS Challan generated from parivesh portal of MoEFCC as per the demand notice issued by the District Forest Officer and the same is reflected as "Paid" in the Ministry Portal, against File No FP/TG/ROAD/147456/2021.	
		Cost of NPV	8,44,666
		5' feet on either side of the road shall be used for raising Strip plantation	29,44,139
		Chain link fencing per km Rs.40,00,000	40,00,000
		Cost of CA	42,50,000
		TOTAL	1,20,38,805/-
xv.	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	The User Agency has submitted an Undertaking certificate enclosed (Annexure-VII, Condition No.xv).	
xvi.	Roadside cuttings and fillings which require engineering support shall be provided in consultation with the DFO concerned so as to stabilize the soil.	The User Agency has submitted an Undertaking certificate enclosed (Annexure-VIII, Condition No.xvi).	
xvii.	The dug-out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area.	The User Agency has submitted an Undertaking certificate enclosed (Annexure-IX, Condition No.xvii).	
xviii.	The road shall be under the administrative control of SFD and will be allowed to be used by all public without any conditions by the User	The User Agency has submitted an Undertaking certificate enclosed (Annexure-X, Condition No.xviii).	

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	Agency.	
xix.	<p>During the period between 2017 to 2020 (prior to filing this application for diversion), there is some permanent road formation and further removal is noticed based on the Google images, this matter may be examined by the Forest department and action taken, if there is any violation of Forest Acts occurred.</p>	<p>The DFO has informed that the said road was formed by Vipassana Meditation center as per the permission accorded by Govt of Andhra Pradesh vide G.O.Rt.No. 189 dated 16/02/1979, the Forest and Rural Development, to form Pucca-Motorable road from Nagarjunasagar main road to Vipassayna Méditation Center. Further, no Offense Report has been filed for the period mentioned in the condition no.xix i.e., between 2017 and 2020 and no fresh permanent road formation or any other violation of Forest (Conservation) Act 1980 has ever been reported as already Pucca- Motorable road is existing.</p> <p>The proposed area for diversion was physically inspected and the photographic evidences were collected and forwarded as part of processed application in Part II by the then DFO.</p>
xx.	<p>The layout plan of the proposal shall not be changed without the prior approval of the Central Government.</p>	<p>The User Agency has submitted an Undertaking certificate enclosed (Annexure-XI, Condition No.xx).</p>
xxi.	<p>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.</p>	<p>The User Agency has submitted an Undertaking certificate enclosed (Annexure-XII, Condition No.xxi).</p>
xxii.	<p>The total forest area utilized for the project shall not exceed 0.8819 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.</p>	<p>The User Agency has submitted an Undertaking certificate enclosed (Annexure-XIII, Condition No.xxii).</p>
xxiii.	<p>The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without</p>	<p>The User Agency has submitted an Undertaking certificate enclosed (Annexure-XIV, Condition No.xxiii).</p>

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	prior approval of the Central Government.	
xxiv.	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.	The User Agency has submitted an Undertaking certificate enclosed (Annexure-XV, Condition No.xxiv).
xxv.	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.	The User Agency has submitted an Undertaking certificate enclosed (Annexure-XVI, Condition No.xxv).
xxvi.	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.	The User Agency has submitted an Undertaking certificate enclosed (Annexure-XVII, Condition No.xxvi).
xxvii.	The State Government shall process and submit compliance report on the above conditions through online (https://parivesh.nic.in/).	The compliance report on the above conditions may be processed and submitted through online (https://parivesh.nic.in/) for approval.

The Stage-I approvals has been published in Telugu and English daily newspaper on 14.12.2022.

It is further submitted that the details of the Non-forest land identified and mutated in favour of Forest Department alongwith its .kml can't be uploaded now, as there is no provision for uploading the same after Stage-I approval on Ministry's portal.

In view of the above compliance report is submitted herewith in duplicate with a request to forward the same to the IRO, MoEF&CC, GoI, Hyderabad for according final (Stage-II) approval for the subject project.

Early action is requested.

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Yours faithfully,

Encl: (As above)

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

Copy to the Conservator of Forests, **Charminar Circle** / District Forest Officer, Vikarabad.

Copy to Sri Burra Satya Prakash Rao, H.No.4-9-930, Bagh Hayathnagar, Behind Pulla Reddy Sweets, Hayathnagar, Rangareddy District 501505 for information.