

**GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT**

- 567 -

From  
**Smt R.Sobha, IFS,**  
 Principal Chief Conservator of Forests  
 (Head of Forest Force),  
 Telangana State, "Aranya Bhavan",  
 Saifabad, **Hyderabad.**

To  
**The Special Chief Secretary to  
Government,**  
 Forests Department,  
 Telangana State,  
**Hyderabad.**

**Ref.No.3726/2016/FCA-1 Dated.18.02.2022.**

**Madam,**

**Sub:-** TS - FCAct - diversion **4.714** ha of forest land in Kagaznagar forest division of erstwhile Adilabad District **presently Komaram Bheem, Asifabad District**- for laying of Pipe Line and Construction of Structures in **Segment-22/1(Kowtala)**-under Telangana Drinking Water Supply Project - in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal- **submission of condition-wise compliance report- Reg.**

**Ref:-**

1. Chief Engineer, TDWSP, RWS&S Department, Hyderabad Lr.No.AEE/DEE-I/TDWSP/Forest/Adilabad/Seg22-1/2016 dt.25.02.2016.
2. PCCF's Ref.No.3726/2016-FCA-1/TS (Seg.22/1) dated 9.3.2016.
3. CF, Adilabad Ref.No.1468/2016/M-6 dated 09.11.2016.
4. PCCF's Ref.No.3726/2016/FCA-1 dt.18.11.2016.
5. State Govt Lr.No.5087/For.I(1)/2016-1 dated 27.12.2016.
6. From GoI, MoEF&CC, Regional Office (South Eastern Zone), Chennai F.No.4-TSB056/2017-CHN/1253 dated 07.08.2017.
7. PCCF's Ref.No.3726/2016/FCA-1 dt.22.08.2017.
8. CF, Adilabad Rc.No.1468/2016/M6 (i) dated 03.03.2021.
9. CF, Adilabad Rc.No.1466/2016/M6 dt.18.10.2022.

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Kind attention is invited to the references cited.

The CF, Adilabad vide reference 8<sup>th</sup> and 9<sup>th</sup> cited has submitted condition-wise compliance report on the Stage-I approval accorded by the MoEF&CC, GoI, Hyderabad vide 6<sup>th</sup> cited on the subject proposal.

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

<b>Sl.No</b>	<b>Description of Condition</b>	<b>Compliance</b>
(i)	Legal status of the diverted forest land shall remain unchanged	The User Agency has complied with the condition (undertaking enclosed).
(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.	The User Agency has deposited an amount of Rs. 25,23,675/- towards construction of pillars & Rs.1,43,000/- towards extraction charges of tree growth totaling to Rs.26,66,675/- in PD Account of Forest Divisional Officer, Kagaznagar bearing A/c.No: 37130525073, SBI Kagaznagar Branch, IFSC CODE:SBIN0020121, on dt:31.12.2019.  A copy of same is enclosed herewith.
(iii)	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 4.714 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.	The User Agency has deposited an amount totaling to <u><b>Rs. 1,17,71,581/-</b></u> (towards NPV <u><b>Rs.35,30,381/- + PCA Rs.13,62,500/- + CA Rs.68,78,700/-</b></u> ) vide <b>UTR No. IDIBR52018080916737610</b> , Dated:09.08.2018, into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, against the project <b>FP/TG/WATER/18191/2016</b> , which is reflected as "PAID" in Ministry's portal.  A copy of the status obtained from the Ministry's portal is enclosed herewith.

(iv)	Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government.	The User Agency has agreed and submitted undertaking that the identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government, which is enclosed herewith.
(v)	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;	<p>The Non-Forest Land identified for Compensatory Afforestation to an extent of 187.677 ha for entire TDWSP project (Mission Bhageeratha) in WLM Division Nagarjunasagar, in three survey numbers i.e., Peddamunagala (Sy.No.169), Thimmapuram (Sy.No.139 &amp;147) in Chandampet Mandal of Nalgonda District apportioning for various Segments including <b>4.714 ha</b> for this Segment. The geo-coordinates, map, CA scheme and soil suitability certificate etc is uploaded in the Ministry's web portal against the subject proposal.</p> <p>The non-forest land identified for raising compensatory Afforestation has been Transferred and mutated in favour of the State Forest Department.</p>
(vi)	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;	The non-forest CA land transferred and mutated in favour of State Forest Department will be declared as PF/ RF under Telangana Forest Act, 1967 within a period of six months upon receipt of Stage II approval.
(vii)	State Forest Department shall carry out the penal compensatory afforestation (PCA) over an extent of 1.951ha in nearby degraded forest area at the cost of the user agency.	<p>The User Agency has deposited an amount totaling to <b>Rs. 1,17,71,581/-</b> (towards NPV Rs.35,30,381/- + PCA Rs.13,62,500/- + CA Rs.68,78,700/-) vide <b>UTR No. IDIBR52018080916737610</b>, Dated:09.08.2018, into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, against the project <b>FP/TG/WATER/18191/2016</b>, which is reflected as "PAID" in Ministry's portal.</p> <p>A copy of the status obtained from the Ministry's portal is enclosed herewith.</p>
(viii)	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 along with the compliance report.	The Degraded Forest land for PCA to an extent of 1.951 Ha in Compartment No.84 of Easgaon Beat of Vempally Section of Kaghaznagar Range of Kaghaznagar Division and CA Scheme upto 10 year maintenance (Copy Enclosed).

(ix)	<p>The State Government shall charge the Net Present Value of the diverted forest land measuring 4.714 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.</p>	<p>The User Agency has deposited an amount totaling to <b>Rs. 1,17,71,581/-</b> (towards NPV Rs.35,30,381/- + PCA Rs.13,62,500/- + CA Rs.68,78,700/-) vide <b>UTR No. IDIBR52018080916737610</b>,  Dated:09.08.2018, into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, against the project <b>FP/TG/WATER/18191/2016</b>, which is reflected as "PAID" in Ministry's portal.</p> <p>A copy of the status obtained from the Ministry's portal is enclosed herewith.</p>
(x)	<p>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.</p>	<p>The User Agency has complied with the condition (undertaking enclosed).</p>
(xi)	<p>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. <b>The User Agency shall compulsorily deposit the CA and other levies only by generating challan through the Ministry's website.</b></p>	<p>The User Agency has deposited an amount totaling to <b>Rs. 1,17,71,581/-</b> (towards NPV Rs.35,30,381/- + PCA Rs.13,62,500/- + CA Rs.68,78,700/-) vide <b>UTR No. IDIBR52018080916737610</b>,  Dated:09.08.2018, into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, against the project <b>FP/TG/WATER/18191/2016</b>, which is reflected as "PAID" in Ministry's portal.</p> <p>A copy of the status obtained from the Ministry's portal is enclosed herewith.</p> <p>Further, the User Agency has deposited an amount of <b>Rs.1,30,71,000/- (Rs.48,90,000 towards mitigative measures +Rs.81,81,000/-</b> Planting Low height evergreen shrubs with shallow roots on the both sites of the pipeline to shelter to small wild animals shall be taken every (2) meters) in the Account of <b>BIOSOT</b>, into A/c No.110310100030284, Andhra Bank, Secretariat Branch, Hyderabad through UTR No.<b>0063879</b>, dt. <b>31.12.2019</b> (copy enclosed).</p>
(xii)	<p>State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.</p>	<p>It has been informed that there are no suitable trees for translocation in the diversion area. Hence, the information is treated as NIL.</p>
(xiii)	<p>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.</p>	<p>The User Agency has complied with the condition (undertaking enclosed).</p>
(xiv)	<p>Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Divisional Forest Officer concerned.</p>	<p>The User Agency has deposited an amount of Rs. 25,23,675/- towards construction of pillars &amp; Rs.1,43,000/- towards extraction charges of tree growth totaling to Rs.26,66,675/- in PD Account of Forest Divisional Officer, Kagaznagar bearing A/c.No: 37130525073, SBI Kagaznagar Branch, IFSC</p>

		<p>CODE:SBIN0020121, on dt:31.12.2019.</p> <p>A copy is enclosed herewith.</p> <p>The User Agency has complied with the condition (undertaking enclosed).</p>
(xv)	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 02.06.2017 at the project cost.	<p>the User Agency has deposited an amount of Rs.1,30,71,000/- (<b>Rs.48,90,000 towards mitigative measures +Rs.81,81,000/-</b>)</p> <p>Planting Low height evergreen shrubs with shallow roots on the both sites of the pipeline to shelter to small wild animals shall be taken every (2) meters) in the Account of <b>BIOSOT</b>, into A/c No.110310100030284, Andhra Bank, Secretariat Branch, Hyderabad through UTR No.<b>0063879</b>, dt. <b>31.12.2019</b> (copy enclosed).</p>
(xvi)	State Government & user agency shall implement mitigation measures as proposed by the DFO, Kagaznagar at the project cost.	-do-
(xvii)	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.	The User Agency has complied with the condition (undertaking enclosed).
(xviii)	The user agency should make provisions for supply of water to wildlife at designated places 1 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.	The User Agency has complied with the condition (undertaking enclosed).
(xix)	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 has complied with the condition (undertaking enclosed).
(xx)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has complied with the condition (undertaking enclosed).
(xxi)	The user agency shall use existing paths and roads for laying of pipeline and no new paths / roads are to be formed.	The User Agency has complied with the condition (undertaking enclosed).
(xxii)	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.	The User Agency has complied with the condition (undertaking enclosed).

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(xxiii)	The total forest area utilized for the project shall not exceed 4.714 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.	The User Agency has complied with the condition (undertaking enclosed).
(xxiv)	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 complied with the condition (undertaking enclosed).
(xxv)	The Progress of the Compensatory Afforestation under the jurisdiction of DFO, Kaghaznagar Division 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.	The progress of the Compensatory Afforestation under the jurisdiction of Forest Divisional Officer, Kaghaznagar 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.
(xxvi)	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.	The User Agency has complied with the condition (undertaking enclosed).
(xxvii)	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.	The User Agency has complied with the condition (undertaking enclosed).

Further, it is submitted that the Stage-I clearance has been published by the User Agency in daily newspapers one in vernacular language in Namasthe Telangana e-Paper on 21.09.2018 (copy enclosed).

The Conservator of Forests, Adilabad vide reference 9<sup>th</sup> cited has submitted information in prescribed format w.r.t violation as called for by the MoEF&CC, GoI, Chennai. Copies of the same are enclosed herewith.

In view of the above, the Government are requested to forward the condition-wise compliance report to IRO, Government of India, Ministry of Environment & Forests and Climate Change, Hyderabad for according final approval.

Encl: (As above)

Yours faithfully,

**Sd/-R.Sobha**

Principal Chief Conservator of Forests  
(Head of Forest Force)

//true copy//



for Principal Chief Conservator of Forests



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**GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT**

Ref.No.3726/2016/FCA-1  
Dated:8.06.2021

Office of the Principal Chief Conservator of Forests  
(Head of Forest Force),  
Telangana, "Aranya Bhavan", Hyderabad - 500 004.

**Smt. R.Sobha, I.F.S.,**  
Principal Chief Conservator of Forests  
(Head of Forest Force)  
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**Sub:-** F(C)Act – Diversion **4.714 ha** of forest land in Kagaznagar forest division of erstwhile Adilabad District **presently Komaram Bheem, Asifabad District** - for laying of Pipe Line and Construction of Structures in **Segment-22/1 (Kowtala)** - under Telangana Drinking Water Supply Project - in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal – **In-principle (Stage-I) approval** - Accorded – Request to furnish certain clarification - Regarding.

**Ref:-**

1. Chief Engineer, TDWSP, RWS&S Department, Hyderabad Lr.No. AEE/DEE-I/TDWSP/Forest/Adilabad/Seg22-1/2016 dt.25.02.2016.
2. PCCF's Ref.No.3726/2016-FCA-1/TS (Seg.22/1) dated 9.3.2016.
3. CF, Adilabad Ref.No.1468/2016/M-6 dated 09.11.2016.
4. PCCF's Ref.No.3726/2016/FCA-1 dt.18.11.2016.
5. State Govt Lr.No.5087/For.I(1)/2016-1 dated 27.12.2016.
6. From GoI, MoEF&CC, Regional Office (South Eastern Zone), Chennai F.No.4-TSB056/2017-CHN/1253 dated 07.08.2017.
7. PCCF's Ref.No.3726/2016/FCA-1 dt.22.08.2017.
8. CF, Adilabad Rc.No.1468/2016/M6 (i) dated 03.03.2021.

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Attention of the Forest Divisional Officer, Kagaznagar is invited to the references cited, the Conservator of Forest, Adilabad vide reference 8<sup>th</sup> cited has submitted the compliance report for the diversion of **4.714 ha** of forest land in Kagaznagar forest division of erstwhile Adilabad District **presently Komaram Bheem, Asifabad District** for laying of Pipe Line and Construction of Structures in **Segment-22/1 (Kowtala)** under TDWSP in favour of SE, TDWSP (RWS&S) Circle, Nirmal.

On scrutiny, the following points are to be clarified:

- 1) Whether the works for the subject project is completed before obtaining the without working permission / stage II (final) approval.
- 2) If so, a copy of Show Cause Notice issued to the User Agency and replies if any, submitted by the User Agency may be furnished.
- 3) Whether any deviation noticed in diverted forest area, if so, submit a detail report on violation.
- 4) The general additional information sought by the GOI on all water segments and the same was called for by this office vide reference Ref.No.3/2015/ FCA-1 Dated:16.04.2021 may be furnished.

Further, it is informed that unless the above points are clarified the compliance report received vide reference 8<sup>th</sup> cited could not be forwarded to the Government for issue of stage -II (final approval).

**Sd/- R.Sobha,**  
Principal Chief Conservator of Forests  
(Head of Forest Force)

To

The Forest Divisional Officer, Kagaznagar (**to submit report by 30/06/2021**)

Copy (**w.e.**) to the Chief Conservator of Forests, Adilabad.

Copy (**w.e.**) to the District Forest Officer, Komaram Bheem, Asifabad for information and necessary action.

Copy (**w.e.**) to the Engineer-in-Chief, Rural Water Supply & Sanitation, SRTGN Bhavan, Errum Manzil Colony, Hyderabad.

Copy (**w.e.**) to the Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal.

Copy (**w.e.**) to the Stock file.

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

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23/06/2021

D. Sulochana  
23/06/2021  
Superintendent

535' 22/11. 015442

GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT

*From:*

**Dr. G. Ramalingam, I.F.S.,**  
Chief Conservator of Forests,  
Adilabad Circle Adilabad.

*To:*

The Prl. Chief Conservator of Forests,  
(Head of Forest Force)  
Telangana State,  
“Aranya Bhavan” Saifabad,  
**H Y D E R A B A D.**

Madam,

**Re.No. 733/2018-M6, Dt. 18-10-2021.**

*FCA  
Dy.C.F.(MIS)*

**Sub:** - TSFD – FCA – Diversion of forest land for laying of Pipeline and construction of structures in Adilabad Circle – under Telangana Drinking water supply project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal – In principle (Stage-I) approval – Accorded – Condition wise compliance – Additional information - submitted – Reg.

**Ref:-** 1. Prl. C.C.F.TS. Hyd. Rc.No.03/2015/FCA-1 , dt.16.04.2021.  
2. C.F.A.C. Adilabad Rc.No.733/2018-M6, dt.30.04.2021.  
3. D.F.O. KB-Asifabad Rc.No.5183/2014/S4, dt.12.10.2021.

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In compliance with the instructions issued in the reference 1<sup>st</sup> cited, I am submitting herewith the additional information sought by the Government of India MoEF CC Regional office Chennai received from the District Forest Officers KB Asifabad vide reference 3<sup>rd</sup> cited for diversion of forest land for laying of Pipeline and construction of structures in Kagaznagar division of Adilabad Circle under Telangana Drinking water supply project in favour of Superintending Engineer, TDWSP (RWS&S) in principle (Stage-I) approval accorded in the proforma **Annexure I** and **II**, the details are as follows:

*verified  
Reply on Showcase  
notice not submitted  
by VLA  
11/11/21*

S. No.	Segment Name & Number	No. of sets
1	22/1- Kowtala	6
2	22/2- Bejjur	6
3	22/3- Sirpur (T)	6
4	22/4- Kagaznagar	6
5	22/5- Dahegaon	6

This is submitted for favour of kind information and necessary action.

Encl: (As above)

Yours faithfully,  
Sd/-Chief Conservator of Forests,  
Adilabad Circle, Adilabad.

//::T.C.B.O.:://

*Saroj*  
MANAGER

*4  
18/10*

**Annexure -I**

Sl. No.	Name of the proposal and proposals No.	Extent of area diverted in Ha.	Date of Stage - I approval	Copy of the Government order for the project	Working permission order issued for the proposal, if so, details thereof;	Whether any non forestry work has been started in the diverted area without obtaining working permission/Stage-II approval, if yes, details thereof;	Status of the submission of the compliance report
1	2	3	4	5	6	7	8
1	Diversion of 4.714 ha of forest land Kagaznagar division of KB Asifabad District – for laying of Pipe line and construction of structures Segment-22/1 (Kowtla) – for providing safe drinking water under Telangana Drinking Water Supply Project.	4.714	07.08.2017	The PCCF TS Hyd vide Rc.No.3727/2016-FCA-1, dt.31.07.2017 has communicated in Principle (Stage-I) approval accorded by GOI MoEF &CC, Regional, Office (South Eastern zone) Chennai F.No.4-TSB053/2017- CHN/1077, dt.07.08.2017 and the same has communicated by this office Rc.No.1466/2016-M6, dt.22.08.2017.	No	Yes, The User has been carried out the work without obtaining working permission / Stage - II approval. The work was carried out from <b>03/2016 to 11/2017</b> .	Submitted
2	Diversion of 3.876 ha of forest land Kagaznagar division of KB Asifabad District – for laying of Pipe line and construction of structures Segment-22/2 (Bejjur) – for providing safe drinking water under Telangana Drinking Water Supply Project.	3.876	12.07.2017	The PCCF TS Hyd vide Rc.No.3729/2016-FCA-1, dt.31.07.2017 has communicated in Principle (Stage-I) approval accorded by GOI MoEF &CC, Regional, Office (South Eastern zone) Chennai F.No.4-TSB057/2017- CHN/1080, dt.12.07.2017 and the same has communicated by this office Rc.No.1467/2016-M6, dt.18.08.2017.	No	Yes, The User has been carried out the work without obtaining working permission / Stage - II approval. The work was carried out from <b>03/2016 to 11/2017</b> .	Submitted

Sl. No.	Name of the proposal and proposals No.	Extent of area diverted in Ha.	Date of Stage - I approval	Copy of the Government order for the project	Working permission order issued for the proposal, if so, details thereof;	Whether any non forestry work has been started in the diverted area without obtaining working permission/Stage-II approval, if yes, details thereof;	Status of the submission of the compliance report
3	Diversion of 4.684 ha of forest land Kagaznagar division of KB Asifabad District – for laying of Pipe line and construction of structures Segment-22/3 (Sirpur) – for providing safe drinking water under Telangana Drinking Water Supply Project.	4.684	12.08.2017	'The Gol MoEF, & CC Regional Office (South Eastern Zone), Chennai F.No.4-TSB055/2017-CHN/1254, dt.12.08.2017 has accorded stage-I approval.	No	Yes, The User has been carried out the work without obtaining working permission / Stage - II approval. The work was carried out from <b>03/2016 to 11/2017</b> .	Submitted
4	Diversion of 2.425 ha of forest land Kagaznagar division for laying of Pipe line and construction of structures Segment-22/4 (Kagaznagar)– for providing safe drinking water under Telangana Drinking Water Supply Project.	2.425	07.08.2017	'The Gol MoEF, & CC Regional Office (South Eastern Zone), Chennai F.No.4-TSB056/2017-CHN/1253, dt.07.08.2017 has accorded stage-I approval.	No	Yes, The User has been carried out the work without obtaining working permission / Stage - II approval. The work was carried out from <b>03/2016 to 11/2017</b> .	Submitted
5	Diversion of 3.813 ha (in Kagaaznagar 0.222 ha and Asifabad Division 3.591 ha ) of forest land Kagaznagar division of KB Asifabad District – for laying of Pipe line and construction of structures Segment-22/5 (Dahegaon).	0.222	07.08.2017	Stage -I approval vide GOI MoEF & CC, Regional Office, Chennai F.No.4-TSB054/2017-CHN/1250 dt 07.08.2017 communicated vide PCCF Rc No.5045/2016-FCA -1 dt 31.07.2017.	No	Yes, The User has been carried out the work without obtaining working permission / Stage - II approval. The work was carried out from <b>03/2016 to 11/2017</b> .	Submitted
		<b>15.921</b>					


**District Forest Officer**  
**Komaram Bheem**  
**(Asifabad)**

  
 Forest Divisional Officer  
 Kaghaznagar

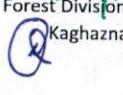
## Annexure -II

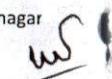
## Additional information as per Annexure II

Sl. No.	Name of the proposal and proposals No.	Extent of area diverted in Ha.	Whether the User Agency has started and / or completed the work before issue of Stage- II or obtaining the working permission after Stage –I approval if yes, date of commencement and completion of work.	Whether any showcase notices is issued to the user Agency for taking up works before obtaining any working permission.	Whether there is any deviation noticed in the alignment and construction of pipelines and structures respectively as against the KML files submitted based on which Stage- I has been approved	Whether there is any extra area/ length diverted then the area /length for which Stage-I	Remarks
1	2	3	4	5	6	7	8
1	Diversion of 4.714 ha of forest land Kagaznagar division of KB Asifabad District – for laying of Pipe line and construction of structures Segment-22/1 (Kowlala) – for providing safe drinking water under Telangana Drinking Water Supply Project.	4.714	Yes, The User has been carried out the work without obtaining working permission / Stage - II approval. The work was carried out from 03/2016 to 11/2017.	Yes, The Show Cause Notice has been issued to the User Agency vide F.D.O. Kaghaznagar Rc.No.895/2016-D1 dated 15.04.2017 and 29.09.2021 for taking up works without obtaining working permission.	There is no deviation noticed in the alignment and constructions of pipelines and structures as against the KML files submitted.	There is no extra area / length diverted than the area / length for which Stage - I issued.	The Principal Chief Conservator of Forests, (HoFF) Telangana State Hyderabad vide Re. No. 3726/2015-FCA-I dated 08.06.2017 (addressed to the Addl. Prl. Chief Conservator of Forests (Central) Ministry of Environment, Forests & Climate Change, Regional Office (South Eastern Zone) Nungambakkam Chennai) as reported violation of FCA Act 1980 and Wild Life Protection Act 1972 the User Agency has executed the work relating to the Segment 22/1 (Koutala), 22/2 (Bejjur), 22/3 (Sirpur) and 22/4 (Kaghagnagar) segment under Telangana Drinking Water Project without forest clearance from the Component Authority and requested impose penalty as per the provisions of Forest Conservation Act, 1980.
2	Diversion of 3.876 ha of forest land Kagaznagar division of KB Asifabad District – for laying of Pipe line and construction of structures Segment-22/2 (Bejjur) – for providing safe drinking water under Telangana Drinking Water Supply Project.	3.876	Yes, The User Agency has been carried out the work without obtaining working permission / Stage - II approval. The work was carried out from 03/2016 to 11/2017.	Yes, The Show Cause Notice has been issued to the User Agency vide F.D.O. Kaghaznagar Rc.No.895/2016-D1 dated 15.04.2017 and 29.09.2021 for taking up works without obtaining working permission.	There is no deviation noticed in the alignment and constructions of pipelines and structures as against the KML files submitted.	There is no extra area / length diverted than the area / length for which Stage - I issued.	The Principal Chief Conservator of Forests, (HoFF) Telangana State Hyderabad vide Re. No. 3726/2015-FCA-I dated 08.06.2017 (addressed to the Addl. Prl. Chief Conservator of Forests (Central) Ministry of Environment, Forests & Climate Change, Regional Office (South Eastern Zone) Nungambakkam Chennai) as reported violation of FCA Act 1980 and Wild Life Protection Act 1972 the User Agency has executed the work relating to the Segment 22/1 (Koutala), 22/2 (Bejjur), 22/3 (Sirpur) and 22/4 (Kaghagnagar) segment under Telangana Drinking Water Project without forest clearance from the Component Authority and requested impose penalty as per the provisions of Forest Conservation Act, 1980.
3	Diversion of 4.684 ha of forest land Kagaznagar division of KB Asifabad District – for laying of Pipe line and construction of structures Segment-22/3 (Sirpur) – for providing safe drinking water under Telangana Drinking Water Supply Project.	4.684	Yes, The User Agency has been carried out the work without obtaining working permission / Stage - II approval. The work was carried out from 03/2016 to 11/2017.	Yes, The Show Cause Notice has been issued to the User Agency vide F.D.O. Kaghaznagar Rc.No.895/2016-D1 dated 15.04.2017 and 29.09.2021 for taking up works without obtaining working permission.	There is no deviation noticed in the alignment and constructions of pipelines and structures as against the KML files submitted.	Yes. An extra area of 0.6336 is being diverted	The Principal Chief Conservator of Forests, (HoFF) Telangana State Hyderabad vide Re. No. 3726/2015-FCA-I dated 08.06.2017 (addressed to the Addl. Prl. Chief Conservator of Forests (Central) Ministry of Environment, Forests & Climate Change, Regional Office (South Eastern Zone) Nungambakkam Chennai) as reported violation of FCA Act 1980 and Wild Life Protection Act 1972 the User Agency has executed the work relating to the Segment 22/1 (Koutala), 22/2 (Bejjur), 22/3 (Sirpur) and 22/4 (Kaghagnagar) segment under Telangana Drinking Water Project without forest clearance from the Component Authority and requested impose penalty as per the provisions of Forest Conservation Act, 1980.

Sl. No.	Name of the proposal and proposals No.	Extent of area diverted in Ha.	Whether the User Agency has started and / or completed the work before issue of Stage- II or obtaining the working permission after Stage -I approval if yes, date of commencement and completion of work.	Whether any showcase notices is issued to the user Agency for taking up works before obtaining any working permission.	Whether there is any deviation noticed in the alignment and construction of pipelines and structures respectively as against the KML files submitted based on which Stage- I has been approved	Whether there is any extra area/ length diverted then the area /length for which Stage-I
4	Diversion of 2.425 ha of forest land Kagaznagar division for laying of Pipe line and construction of structures Segment 22/4 (Kagaznagar)– for providing safe drinking water under Telangana Drinking Water Supply Project.	2.425	Yes, The User has been carried out the work without obtaining working permission / Stage - II approval. The work was carried out from 03/2016 to 11/2017.	Yes, The Show Cause Notice has been issued to the User Agency vide F.D.O. Kagaznagar Rc.No.895/2016-D1 dated 15.04.2017 and 29.09.2021 for taking up works without obtaining working permission.	There is no deviation noticed in the alignment and constructions of pipelines and structures as against the KML files submitted.	There is no extra area / length diverted than the area / length for which Stage - I issued.
5	Diversion of 3.813 ha (in Kagaaznagar 0.222 ha and Asifabad Division 3.591 ha) of forest land Kagaznagar division of KB Asifabad District – for laying of Pipe line and construction of structures Segment-22/5 (Dahegaon).	0.222	Yes, The User Agency has been carried out the work without obtaining working permission / Stage - II approval. The work was carried out from 03/2016 to 11/2017.	Yes, The Show Cause Notice has been issued to the User Agency vide F.D.O. Kagaznagar Rc.No.895/2016-D1 dated 15.04.2017 and 29.09.2021 for taking up works without obtaining working permission.	There is no deviation noticed in the alignment and constructions of pipelines and structures as against the KML files submitted.	There is no extra area / length diverted than the area / length for which Stage - I issued.
		15.921				


  
**District Forest Officer**  
**Komaram Bheem**  
**(Asifabad)**


  
**Forest Divisional Officer**  
**Kagaznagar**


  
**ws**

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By speed-post

**GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT**

From  
M. Vijay Kumar, SFS.,  
Forest Divisional Officer,  
Kaghaznagar

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

**Rc.No. 894/2017-D1 Dated 29.09.2021.**

**Sir,**

**Sub:** TSFD – Forest (Conservation) Act, 1980 & Wildlife (Protection) Act, 1972 (wherever applicable) – Reported Violation of Act by taking up certain non forestry works in Kaghaznagar forest area of Kaghaznagar Division by Superintending Engineer, – **Show Cause notice issued - Explanation to be furnished** – Reg.

**Ref:-**

1. F.D.O. Rc. No. 895/2016-D1 dated 15.04.2017.
2. Prl. C.C.F. TS Hyd Rc. No. 3726/2015-FCA-1 dated 08.06.2017.
3. GOI, MoEF & CC, Regional Office, Chennai, F.No. 4-TSB056/2017-CHN/1253, Dt 07.08.2017.
4. PCCF, TS Hyd, Rc. No. 3726/2016-FCA-1, Dt. 09.03.2017.
5. F.R.O. Sirpur dated 22.02.2021.

\* \* \*

In continuation of this office reference 1<sup>st</sup> cited and attention of the Superintending Engineer, TDWSP (RWS&S) Circle, Mancherial, is invited to the subject cited. The Forest Range Officer Kaghaznagar vide reference 5<sup>th</sup> cited has reported that the User Agency has been carried out the work without obtaining working permission / Stage - II approval. The work was carried out from 03/2016 to 11/2017 for extent of area of **4.714 Ha of Forest land in Kaghaznagar Division for laying of Pipe Line and construction of Structures in Segment-22/1 (Koutala)- under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle Mancherial falling in Sirpur Range** without taking prior permission from Government of India under the provisions of Forest (Conservation) Act 1980. The details are follows:

Sl No	Segment No and Name	Violation for area			Remarks
		Compt No.	Name of the work	Area in Ha	
1	22/1 - (Koutala )	161	Laying of pipe line and Break Pressure Tank	0.191	
2		162	Laying of pipe line	0.646	
3		124	Laying of pipe line	0.202	
4		110	Laying of pipe line	0.054	
5		125	Laying of pipe line	0.297	
6		168	Laying of pipe line	0.12	

7	165	Laying of pipe line	0.102	
8	170	Laying of pipe line	0.049	
9	171	Laying of pipe line	0.065	
10	172	Laying of pipe line	0.082	
11	174	Laying of pipe line	0.12	
12	185	Laying of pipe line	0.191	
13	184	Laying of pipe line	0.168	
14	183	Laying of pipe line	0.219	
15	180	Laying of pipe line	0.113	
16	182	Laying of pipe line	0.174	
17	193	Laying of pipe line	0.223	
18	206	Laying of pipe line	0.058	
19	191	Laying of pipe line	0.038	
20	192	Laying of pipe line	0.132	
21	221	Laying of pipe line	0.328	
22	222	Laying of pipe line	0.171	
23	224	Laying of pipe line	0.204	
24	208	Laying of pipe line	0.199	
25	209	Laying of pipe line	0.05	
26	217	Laying of pipe line	0.162	
27	218	Laying of pipe line	0.184	
28	219	Laying of pipe line	0.172	
			<b>4.714</b>	

If the said work taken up in the forest is approved by Government of India under the provision of Forest (Conservation) Act 1980, copy of the same may be furnished to this office immediately otherwise it will be presumed that the said work is taken up in violation of the Forest (Conservation) Act, 1980 and / Wild Life (Protection) Act, 1972 (wherever WL Act applicable) by you.

In this regard, it is informed that no non forestry work can be taken up in the forests without prior permission from the Central Government under Section 2 of the Forest (Conservation) Act 1980. Further Section 3-A of the said Act deals with penalty for contravention of the Act and Section 3-B deals with offences committed by the authorities and Government Departments as reproduced below:

**Section 2 of the Forest (Conservation) Act, 1980 restricts the de-reservation of forests or use of forest land for non-forest purpose i.e.,**

“Notwithstanding anything contained in any other law for the time being in force in a State, **No State Government or other authority shall make**, except with the prior approval of the Central government, any order directing –

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- i. that any Reserved forest or any portion thereof, shall cease to be Reserved.
- ii. **that any forest land or any portion thereof may be used for any non-forest purpose;**
- iii. that any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organization not owned, managed or controlled by Government.
- iv. that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for re-afforestation.”

**Provisions of the Act dealing with violations:** Section 3A and 3B deals with penal provisions for contravention of the provisions of Forest (Conservation) Act, 1980. Section 3B specifically deals with the violation of the Forest (Conservation) Act, 1980 committed by the authorities and Government Departments which is reproduced as follows:

**Section 3A of the Forest (Conservation) Act, 1980: Penalty for contravention of the provisions of the Act-**

Whoever contravenes or abets the contravention of any provisions of Section 2, shall be punishable with simple imprisonment for a period, which may extend to 15 days.

**Section 3 B of the Forest (Conservation) Act, 1980: Offences by authorities and Government Departments -**

(1) Where any offence under this Act has been committed

- (a) by any department of Government, the head of the department; or
- (b) by any authority, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the authority for the conduct of the business of the authority as well as the authority;

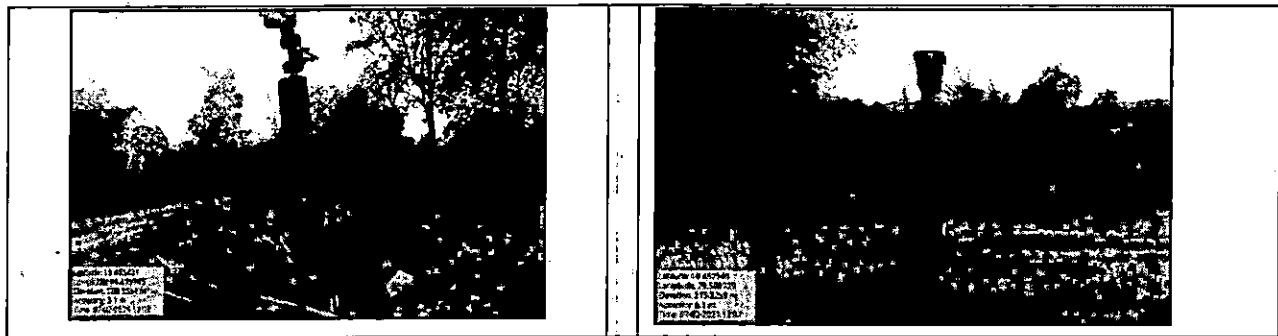
shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

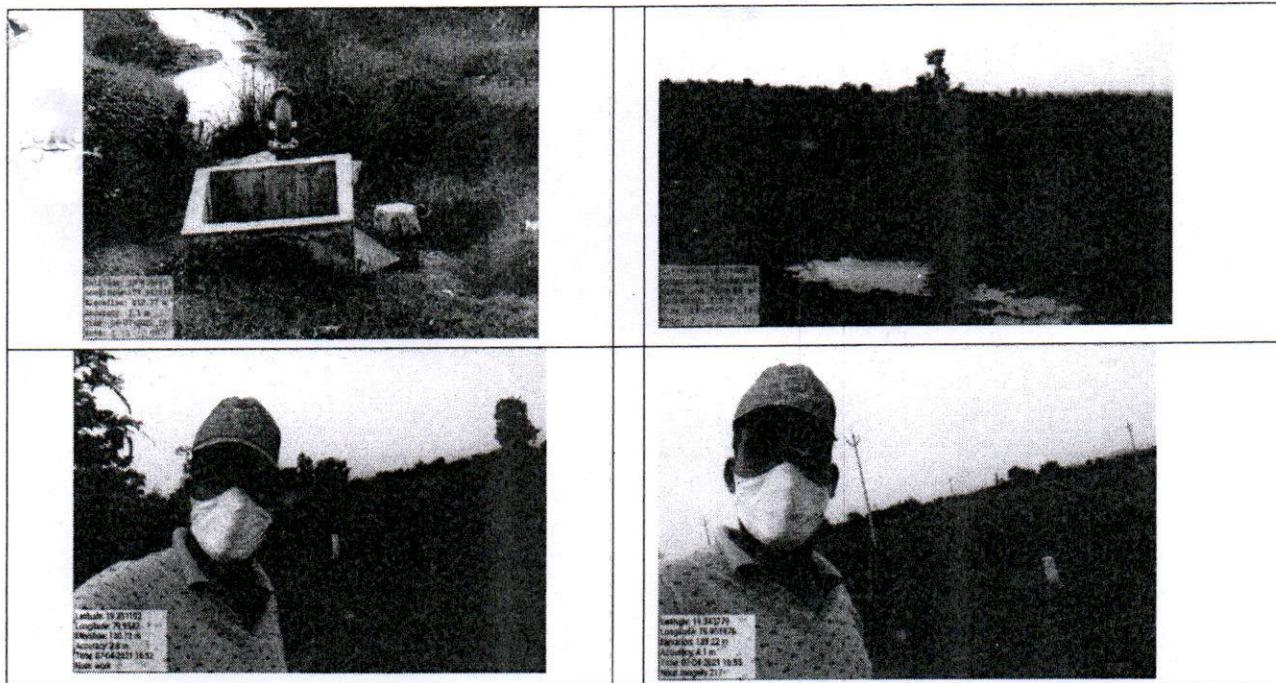
Provided that nothing contained in this sub-section shall render the head of the department or any person referred to in clause (b), liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence punishable under the Act has been committed by a department of Government or any authority referred to in clause (b) of sub-section (1) and it is proved that the offence has been committed with the consent or connivance of; or is attributable to any neglect on the part of any officer, other than the head of the department, or in the case of an authority, any person other than the persons referred to in clause (b) of sub-section (1), such officer or persons shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

The State Govt. EFS&T Dept vide GO RT No.6, dt.06.07.2007 (copy enclosed) has expressed serious concern over violation of Forest (Conservation) Act 1980, Wildlife (Protection) Act 1972 and Orders issued from the Hon'ble Supreme Court on the subject from time to time and issued detailed and precise procedure to be followed by all Government Departments / Agencies for taking non forestry work in the forest area. The GO has been communicated to all the Heads of Departments & District Collectors with a request to issue strict instructions to all the Heads of Dept & Field Level officers to follow the procedure scrupulously for obtaining necessary clearance under Forest (Conservation) Act, National Board for Wild Life under Wild Life (Protection) Act, 1972 and Hon'ble Supreme Court of India; and also requested not to take up any developmental activities in forest land without prior approval of competent authority U/s-2 of Forest (Conservation) Act, 1980.

You are requested to furnish copy of the sanction order / work order for the above said work taken up in violation of the Forest (Conservation) Act, 1980 and Wildlife (Protection) Act, 1972 (wherever applicable). You are also requested to furnish your explanation for carrying out the above work without taking prior permission from the Government of India and Hon'ble Supreme Court (wherever applicable) under Forest (Conservation) Act 1980 and Wildlife (Protection) Act 1972 (wherever applicable) within 15 days of the receipt of this letter, failing which a report will be submitted to the State Government for taking necessary action in the matter.





Yours faithfully,

Encl : As above

*AB*  
Forest Divisional Officer  
Kaghaznagar *ws*

Copy submitted to the Nodal Officer, (FCA) O/o PCCF(HoFF), Aranya Bhawan, Saifabad, 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 Collector, KB-Asifabad for favour of information.

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

*AB*  
Forest Divisional Officer  
Kaghaznagar *ws*

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**Violation Report under Forest (Conservation) Act, 1980**

<b>1</b>	<b>Name of the User Agency</b>		Superintendent Engineer Mission Bhagiratha, Circle Mancherial					
<b>2</b>	<b>Name of the Project</b>		Mode of execution Diversion of <b>4.714 Ha</b> of Forest land in Kaghaznagar forest Division in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Mancherial for laying of Pipelines and construction of Structures in <b>Segment-22/1 (Kowtala)</b> under Telangana Drinking Water Supply Project in favour of Superintending Engineer TDWSP (RWS&S) Circle Mancherial - In-principle ( <b>Stage-I</b> ) approval accorded.					
<b>3</b>	<b>Location of the Project</b>		Koutala					
<b>a Forest Details</b>								
Circle		Adilabad						
District		KB-Asifabad						
Division		Kaghaznagar						
Range		Sirpur, Karjelly and Bejjur						
Forest Block		Garlapet, Gudem and Bejjur						
Compartment No.		161 & 162 Muthampet Beat, 110 & 124 Dabba Beat, 125 Rebbena Beat of Sirpur Range 165 & 168 Gudlabori Beat, 170, 171 & 172 Ankoda Beat, 174 Korsana Beat, 184 & 185 Kethini Beat 191 & 192 Dimda Beat, 193, 206 Gudem Beat of Karjelly Range 208, 209, 217, 218 Mogelly Beat, 219 Indergaon and 221, 222 & 224 Kuntalamanapally of Bejjur Range.						
<b>b Revenue Details</b>		----						
Sy.No.		----						
Mandal		Koutala, Chintalamanapally and Bejjur						
Village		Muthampet, Dabba, Rebbena, Gudlabori, Ankoda, Korsana, Kethini, Dimda, Gudem, Karjelly, Mogelly, Indergaon and Kuntalamanapally						
<b>4</b>	<b>Number and Date of Technical Sanction (copy enclosed)</b>		----					
<b>5</b>	<b>Number and Date of Administrative Sanction (copy enclosed)</b>		----					
<b>6</b>	<b>Date of Starting the Work</b>		03/2016					
<b>7</b>	<b>Date of completion of work (copy of M Book if available)</b>		11/2017					
<b>8</b>	<b>Details of work done on forest land (copy of M Book if available) (Map enclosed)</b>							
	<b>S. No.</b>	<b>Item of work</b>	<b>Forest land involved in (2) (ha)</b>	<b>Quantity of work in violation on (2)</b>		<b>Amount sanctioned on (2) started (Rs.)</b>	<b>Amount spent on violation on (2) (Rs.)</b>	<b>Remarks</b>
				<b>Extent of Area (ha)</b>	<b>In terms of volume (cum)</b>			
	1	Laying of pipe line	4.714	4.714	56568			

Details of violation				
	ID	Area_Ha	Compt no.	Item of works
	1	0.191	161	Laying of pipe line and Break Pressure Tank
		0.646	162	Laying of pipe line
		0.202	124	Laying of pipe line
	4	0.054	110	Laying of pipe line
	5	0.297	125	Laying of pipe line
	6	0.12	168	Laying of pipe line
	7	0.102	165	Laying of pipe line
	8	0.049	170	Laying of pipe line
	9	0.065	171	Laying of pipe line
	10	0.082	172	Laying of pipe line
	11	0.12	174	Laying of pipe line
	12	0.191	185	Laying of pipe line
	13	0.168	184	Laying of pipe line
	14	0.219	183	Laying of pipe line
	15	0.113	180	Laying of pipe line
	16	0.174	182	Laying of pipe line
		0.223	193	Laying of pipe line
		0.058	206	Laying of pipe line
	19	0.038	191	Laying of pipe line
	20	0.132	192	Laying of pipe line
	21	0.328	221	Laying of pipe line
	22	0.171	222	Laying of pipe line
	23	0.204	224	Laying of pipe line
	24	0.199	208	Laying of pipe line
	25	0.05	209	Laying of pipe line
	26	0.162	217	Laying of pipe line
	27	0.184	218	Laying of pipe line
	28	0.172	219	Laying of pipe line
		4.714		

9 Period of Work in violation (copy of M Book if available)

S. No.	Item of work (item as indicated in table at Column 8)	Quantity of work		Period of work		Remarks
		Extent of area (ha)	In terms of volume (cum)	From	To	
	Laying of pipe line	4.714	56568	03/2016	11/207	The work was carried out without stage II approval

10 Name of the officers responsible for violation

	S. No.	Item of work (item indicated in table at Column 8)	Details of the officers		Period of work		Remarks
			Name	Designation	From	To	
	1	Laying of pipe line		Superintendent, Engineer Mission	03/2016	11/207	The work was carried out without stage II approval

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			Bhagiratha, Circle Mancherial				
11	Whether the violation case fits in the criteria specified in the FCA Act, 1980, Rules, Guidelines and Circulars issued therein?						
a	If YES, details thereof			YES			
b	If NO, details thereof			--			
12	Whether show-cause notice is issued to the User Agency by the Forest Department on detection of violation, if so, give details thereof:						
	S. No.	Details of the Forest officer		Date of issuing of show-cause notice	Remarks		
		Name	Designation				
		1 M. Ravi Prasad	F.D.O.		15.04.2017	The show cause notice has been issued to the User Agency by F.D.O Kagaznagar vide Rc.No. 895/2016-D1 dated 15.04.2016 and 29.09.2021 for taking up works without obtaining working permission.	
13	Whether the work is stopped by UA after issuing of show-cause notice by FD						
a	If YES, the extent of work done till issue of show-cause notice.						
	S. No.	Item of work (item indicated in table at Column 8)	Quantity of work	Details of the officers		Period of work	Remarks
			Extent of area (ha)	In terms of volume (cum)	Name		
b	If NO, the extent of work done after issue of show-cause notice						
	S. No.	Item of work (item indicated in table at Column 8)	Quantity of work	Details of the officers		Period of work	Remarks
			Extent of area (ha)	In terms of volume (cum)	Name		
	1	Segment- 22/1 Laying of pipe line	4.714	56568	Superintendent, Engineer Mission Bhagiratha, Circle Mancherial	03/2016	11/207
14	Whether UA has applied for diversion of forest land for the said project, if so, give details thereof:						

a	Date of application submitted to PCCF	25.02.2016
b	Date of forwarding by PCCF to CF/DFO	09.03.2016
c	Date of receipt of processed proposals from CF	09.11.2016
d	Date of forwarding of proposals to State Government	18.11.2016
e	Date(s) of query(ies) raised by FD	--
f	Date(s) of submission of reply(ies) by UA on query(ies) raised by FD	--
g	Date of forwarding of proposals to Government of India (GoI) by State Government (SG)	Ref 3 <sup>rd</sup> cited pasted
h	Date of State I approval, if issued	29.02.2020
i	Date of submission of compliance by UA	
j	Date(s) of query(ies) raised by FD	
j	Date(s) of submission of reply(ies) by UA on query(ies) raised by FD	
k	Date of submission of compliance to SG by PCCF	
l	Date of submission of compliance to GoI by SG	
m	Date of query(ies) raised by GoI	
n	Date(s) of submission of reply(ies) by UA/SG on query(ies) raised by GoI	
o	Date of Stage II approval, if issued	
p	Date of handing over of forest land to UA.	

15 Whether the UA has continued the violation after submission of application for diversion of forest land and before handing over of forest land

If YES, details thereof

S. No.	Item of work (item indicated in table at Column 8)	Quantity of work		Details of the officers		Period of work		Remarks
		Extent of area (ha)	In terms of volume (cum)	Name	Designation	From	To	
1	Segment- 22/1 Laying of pipe line	4.714	56568		Superintendent, Engineer Mission Bhagiratha, Circle Mancherial	03/2016	11/207	

16 Whether any committee appointed by the competent authority/ State Government/ Government of India to conduct inquiry on violations

If YES, give the details with Order Number and Date

17 Details of the Inquiry conducted by committee appointed in Col.No.16

S. No.	Date(s) of Inquiry	Details of the officers present		Reply of the officer		Remarks
		Name	Designation	Deposed before committee on date of inquiry?	Submitted written statement later	

18 Action proposed against the officer responsible for violation

S. No.	Details of the officers		Remarks
	Name	Designation	

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19	Remarks of the committee appointed	
20		

Forest Divisional Officer  
Kaghaznagar

*Q* *WS*

Government of Telangana  
Forest Department

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6  
DESPATCHED  
No. 9/15/17

From  
Sri M. Ravi Prasad SFS.,  
Forest Divisional Officer,  
Kaghaznagar.

To  
The Superintending Engineer,  
Telangana Drinking Water Supply  
Project (Rural Water Supply & Sanitation  
Circle), NIRMAL

Rc.No. 895/2016-D1, dated 15.04.2017.

Sir,

Sub:- TS-FD-Proposal for diversion of Forest land in Kaghaznagar Division – in favour of Superintending Engineer, TDWSP ( RWS&S) Circle, Nirmal - for laying of Pipe Line and Construction of Structures in Segments-22/1 (Kouthala), 22/2 (Bejjur), 22/3 Sirpur & 22/4 (Kaghaznagar) – under Telangana Drinking Water Supply Project- Forwarded for processing – Violation of FC Act noticed - Show cause notice – Explanation to be furnished – Regarding.

Ref:-

1. F.R.O. Kaghaznagar Rc. No. PJV/2016-17/S8A/KZR, dt. 10.04.2017
2. F.R.O. Penchikalpet Rc. No. PJV/2016-17/S8A/KZR, dt. 10.04.2017
3. F.R.O. Sirpur Rc. No. 114/2017/Sirpur dt 12.04.2017.
4. F.R.O. Bejjur Rc. No.06/BJR/2017 dt 13.04.2017.
5. F.R.O. Karjelly Rc. No. 111/2017/Karjelly dt 12.04.2017.

-:00:-

Attention of the Superintending Engineer, Telangana Drinking Water Supply Project (Rural Water Supply & Sanitation Circle), Nirmal is invited to the subject and reference cited.

The following proposals for diversion of forest land for laying of Pipe Line and Construction of Structures in Segments-22/1 (Kouthala), 22/2 (Bejjur), 22/3 Sirpur, 22/4 (Kaghaznagar) and 22/5 ( Dahegaon) under Telangana Drinking Water Supply Project were processed and submitted for onwards submission for approval by the competent authority. The segment wise details are as follows.

Sl. No.	Segment No.	Segment Name	Length in Kms.	Area in Ha.
1	22/1	Kouthala	53.084	4.714
2	22/2	Bejjur	43.596	3.876
3	22/3	Sirpur	34.709	4.684
4	22/4	Kaghaznagar	19.85	2.425
5	22/5	Dahegaon	3.174	0.222
<b>Total</b>			<b>154.413</b>	<b>15.921</b>

The Forest Range Officer, Kaghaznagar, Penchikalpet, Sirpur, Bejjur and Karjelly have reported that, the work of digging of earth work and laying of pipeline has been executed in some patches in Segments-22/1 (Kouthala), 22/2 (Bejjur), 22/3 Sirpur, 22/4 (Kaghaznagar) without taking prior permission from Government of India under the provisions of Forest (Conservation) Act 1980. If the said work taken up in the forest is approved by Government of India under the provision of Forest (Conservation) Act 1980, copy of the same may be furnished to this office immediately otherwise it will be presumed that the said work is taken up in violation of the Forest (Conservation) Act, 1980 and /Wild Life (Protection) Act, 1972 (Wherever WLP Act applicable) by you. The details of violation segments wise are follows.

Sl. No.	Segment No.	Segment Name	Length in Kms.	Area proposed for diversion in Ha.	Violation of work area in Ha.	Violation of work Length in Kms.
1	22/1	Kouthala	53.084	4.714	1.951	17.092
2	22/2	Bejjur	43.596	3.876	2.332	26.998
3	22/3	Sirpur	34.709	4.684	2.196	12.387
4	22/4	Kaghaznagar	19.85	2.425	0.508	4.554
<b>Total</b>			<b>154.413</b>	<b>15.921</b>	<b>6.987</b>	<b>61.031</b>

In this regard, it is informed that no non-forestry work can be taken up in the forests without prior permission from the Central Government under section 2 of the Forest (Conservation) Act 1980. Further Section 3-A of the said Act deals with penalty for contravention of the Act and Section 3-B deals with offences committed by the authorities and Government Departments as reproduced below:

**Section 2 of the Forest (Conservation) Act, 1980 restricts the de-reservation of forests or use of forest land or non-forest purpose. i.e.,**

**"Notwithstanding anything contained in any other law for the time being in force in a State, No State Government or other authority shall make, except with the prior approval of the Central Government, any order directing.**

- I. That any Reserved Forest or any portion thereof, shall cease to be Reserved.
- II. **That any Forest land or any portion thereof may be used for any non-Forest purpose.**
- III. That any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organization not owned, managed or controlled by Government.
- IV. That any Forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for re-afforestation."

**Provisions of the Act dealing with violations:** Section 3A and 3B deals with penal provisions for contravention of the provisions of Forest (Conservation) Act, 1980, Section 3B specifically deals with the violation of the Forest (Conservation) Act, 1980 committed by the authorities and Government Departments which is reproduced as follows:

**Section 3A of the Forest (Conservation) Act, 1980: Penalty for contravention of the provisions of the Act:-**

Whoever contravenes or abets the contravention of any provisions of Section 2, shall be punishable with simple imprisonment for a period, which may extend to 15 days.

**Section 3B of the Forest (Conservation) Act, 1980: Offences by Authorities and Government Departments:**

(1) Where any offences under this Act has been committed:

- (a) By any department of Government, the head of the department: or
- (b) By any authority, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the authority for the conduct of the business of the authority as well as the authority:

Shall be deemed to be guilty of the offences and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render the head the head of the department or any person referred to in clause (b), liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence punishable under the Act has been committed by a department of Government or any authority referred to in clause (b) of sub-section (1) and it is proved that the offence has been committed with the consent or connivance of; or is attributable to any neglect on the part of any officer, other than the head of the department, or in the case of an authority, any person other than the persons referred to in clause (b) of sub-section (1), such officer or persons shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

SSR

The state Govt. EFS&T Dept vide G.O.Rt. No. 6, dt. 06.01.2007 (Copy enclosed) has expressed serious concern over violation of Forest (Conservation) Act 1980, Wildlife (Protection) Act 1972 and Orders issued from the Hon'ble Supreme Court on the subject from time to time and issued detailed and precise procedure to be followed by all Government Departments / Agencies for taking on forestry work in the forest area. The G.O. has been communicated to all the heads of the departments and District Collectors with a request to issue strict instructions to all the heads of the departments and field level officers to follow the procedure scrupulously for obtaining necessary clearance under Forest (Conservation) Act, National Board for Wild Life under Wildlife (Protection) Act, 1972 and Hon'ble Supreme Court of India; and also requested not to take up any developmental activities in forest land without prior approval of competent authority under Section (2) of Forest (Conservation) Act, 1980.

You are hence requested to furnish copy of the sanction order / work order for the above said work taken up in violation of the Forest (Conservation) Act, 1980 and Wildlife (Protection) Act, 1972 (wherever applicable). If work executed without any sanction you are requested to furnish your explanation for carrying out the above work without taking prior permission from the Government of India under Forest (Conservation) Act 1980 and Wildlife (Protection) Act 1972 (wherever applicable) within 15 days of the receipt of this letter, failing which a report will be submitted to the State Government for taking necessary action in the matter.

Yours faithfully,

016  
Forest Divisional Officer,  
Kaghaznagar

Copy submitted to the Principal Chief Conservator of Forests (HoFF), Telangana State, Hyderabad for favour of kind information.

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

Copy submitted to the Chief Engineer, RWS&S TDWSP, Hyderabad for favour of kind information.

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

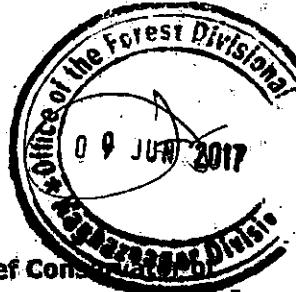
Forest Divisional Officer,  
Kaghaznagar

15/11  
12/6/17

SSq'

09 JUN 2017

GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT



From  
Sri P.K. Jha, IFS.,  
Principal Chief Conservator of Forests  
& Head of Forest Force,  
Telangana State, "Aranya Bhavan",  
Safabab, Hyderabad.

To  
✓ The Addl. Pri. Chief Conservator of  
Forests (Central),  
Ministry of Environment, Forests &  
Climate Change,  
Regional Office (South Eastern Zone),  
1<sup>st</sup> and 2<sup>nd</sup> Floor, HEPC Building,  
No.34, Cathedral Garden Road,  
Nungambakkam, Chennai-600 034.

Ref. No. 3726/2015/FCA-1 Dated: 08.06.2017

Sir,

D1  
Sub:- Forest (Conservation) Act - Proposal for diversion of forest land in Kagaznagar Division - for laying of Pipe Line and Construction of Structures in Segment-22/1 (Kowtala), Segment-22/2 (Bejjur), Segment-22/3 (Sirpur) and Segment-22/4 (Kagaznagar) - under Telangana Drinking Water Supply Project - in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal - Violation Reported - Report - Furnished - Regarding.

Ref:-  
1. PCCF's Ref.No.3726/2016-FCA-1 dated 18.11.2016.  
2. Govt Lr.No.5087/For.I(1)/2016-1 dated 27.12.2016.  
3. PCCF Ref.No.3727/2015/FCA-1 dated 18.11.2016.  
4. Govt Lr.No.5086/For.I(1)/2016-1 dated 27.12.2016.  
5. PCCF's Ref.No.3729/2016/FCA-1 dated 21.11.2016.  
6. State Govt Lr.No.5131/For.I(1)/2016-1 dated 27.12.2016  
7. From Dy.CF (Central), GoI, MoEF&CC, Regional Office (SEZ), Chennai F.No.4-TSB057/2017-CHN/0227 dated 10.02.2017.  
8. PCCF's Ref.No.3728/2016/FCA-1 dated 24.11.2016.  
9. State Govt Lr.No.5173/For.I(1)/2016-1 dated 27.12.2016  
10. FDO, Kagaznagar Rc.No.895/2016-D1 dated 15.04.2017.

...<<contd>>..

Please refer to the correspondence cited.

It is to inform that the Forest Divisional Officer, Kagaznagar vide reference 10<sup>th</sup> cited has issued Show-cause-Notice to the User Agency for violation of Forest (Conservation) Act, 1980 and Wild Life (Protection) Act, 1972. The User Agency has executed the works relating to Segment-22/1 (Kowtala), Segment-22/2 (Bejjur), Segment-22/3 (Sirpur) and Segment-22/4 (Kagaznagar) under Telangana Drinking Water Supply Project without forest clearance from the competent authority. A copy of reference 10<sup>th</sup> cited is enclosed herewith. The details of violation segment-wise are as follows:

SI No.	Seg No.	Segment Name	Length (In kms)	Area proposed for diversion (In Ha)	Violation of work in area (In Ha)	Violation of work in length (In kms)
1	2	3	4	5	6	7
1.	22/1	Kowtala	53.084	4.714	1.951	17,092
2.	22/2	Bejjur	43.596	3.876	2.332	26,998
3.	22/3	Sirpur	34.709	4.684	2.196	12,387
4.	22/4	Kagaznagar	19.850	2.425	0.508	4,554
TOTAL:			154.413	15.921	6.987	61.031

The User Agency has been served with Show Cause Notice by the Forest

2

For the violations carried out by the User Agency against the Forest (Conservation) Act, 1980 in an area of 6.987 ha, it is requested to impose penalty as per the provisions of Forest (Conservation) Act, 1980.

This is for information and necessary action.

Encl: (As above)

Yours faithfully,  
Sd/- R.Sobha,  
for Principal Chief Conservator of Forests  
& Head of Forest Force

Copy submitted to the Spl. Chief Secretary to Government, Environment, Forests, Science and Technology Department along with copy of reference 7<sup>th</sup> cited for favour of information and necessary action.

// true copy //

bh  
8/6/2017

for Principal Chief Conservator of Forests  
& Head of Forest Force

**ACCOUNT STATEMENT FOR THE ACCOUNT 110310100030284 FROM 01/10/2019 TO 23/02/2020**

Branch code:		1103	Branch Name:		SECRETARIAT BRANCH		
Account Holder Name :		BIODIVERSITY CONSERVATION SOCIETY OF TELANGANA					
Transaction date	Value date	Transaction id	Cheque No	Transaction type	Originating Branch code	Transaction Particulars	Cr. Amount
09/10/2019	09/10/2019	S41978307		Transfer	1103	RTGS/510101000399239/TELANGANA DRINKINGWATER SUPPL CORP928200652382	10,176,200.00
28/10/2019	28/10/2019	145582		Transfer	1103	TRANSFERS-RC NO 2507, DT. 23-10-2019	
04/11/2019	04/11/2019	265088		Transfer	1179	DISTRICT FOREST OFFICER HYDERABAD	
21/11/2019	21/11/2019	S86809674		Transfer	1103	NEFT/TELANGANA DRINKING WATER SUPPLY COR BARBU19325958683\BARB0INDHYD NEFTInwaRd1830	18,540,000.00
05/12/2019	05/12/2019	159535		Transfer	1103	FDO AMRABAD, ACHAMPET	
05/12/2019	05/12/2019	158130		Transfer	1103	MEDCHAL	
12/12/2019	12/12/2019	S58801126		Transfer	1103	NEFT/ANDBN19241302139 / CEFNARM NEFT/N06/S00459780320/1330 SBIN0021070	
12/12/2019	12/12/2019	S58999617		Transfer	1103	NEFT/RET/ANDBN19241302139/ACCOUNT DOES NOT EXIST SBINP19346010552\SBIN0021070 NEFTInwaRd1400	777,400.00
20/12/2019	20/12/2019	S86355379		Transfer	1103	NEFT/ANDBN19241617023 / NIRMAL FDO NEFT/N06/S00461954128/0028 SBIN0020125	
24/12/2019	24/12/2019	S757177		Transfer	1103	NEFT/ANDBN19241761461 / CEFNARM NEFT/N06/S00462927246/0031 SBIN0021070	
31/12/2019	31/12/2019	63879		Transfer	1006	PAYMENT FROM TG DRINKING WATER	5,986,283.00
31/12/2019	31/12/2019	63879		Transfer	1006	PAYMENT FROM TG DRINKING WATER	13,071,000.00
31/12/2019	31/12/2019	63879		Transfer	1006	PAYMENT FROM TG DRINKING WATER	6,284,849.00
31/12/2019	31/12/2019	63879		Transfer	1006	PAYMENT FROM TG DRINKING WATER	11,358,830.00
31/12/2019	31/12/2019	63879		Transfer	1006	PAYMENT FROM TG DRINKING WATER	3,434,983.00
31/12/2019	31/12/2019	63879		Transfer	1006	PAYMENT FROM TG DRINKING WATER	3,838,842.00
31/12/2019	31/12/2019	63879		Transfer	1006	PAYMENT FROM TG DRINKING WATER	13,603,919.00

32/1

32/5

- 22/2

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