

-623-

**GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT**

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 Govt.,**  
Forests Department,  
Telangana State,  
**Hyderabad.**

**Ref.No.5045/2016/FCA-1 Dated.26.02.2022.**

**Madam,**

**Sub:-** Forest (Conservation) Act – Diversion 2.643 ha (0.222+2.421) of forest land in Kagaznagar and Bellampally Divisions of Adilabad Circle - for laying of Pipe Line and Construction of Structures in Segment-22/5 (Dahegaon) under Telangana Drinking Water Supply Project - in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal - In-principle (Stage-I) approval - **Furnishing of Compliance**– Reg.

- Ref:-**
1. Chief Engineer, TDWSP, RWS&S Dept., Hyderabad Lr.No.AE/DEE-1/ TDWSP/Forest/ADILABAD/Seg.22-5/2016 dated 12.03.2016.
  2. PCCF's Ref.No.5045/2016-FCA-1/TS (Seg.22/5) dated 28.3.2016.
  3. CF, Adilabad Ref.No.1678/2016/M-6 dated 09.11.2016.
  4. PCCF (WL) & CWW Rc.No.13518/2016/WL-1, dated 12.11.2016.
  5. PCCF's Ref.No.5045/2016/FCA-1 dt.28.11.2016.
  6. State Govt Lr.No.5305/For.I(1)/2016-1 dated 27.12.2016.
  7. From GoI, MoEF&CC, Regional Office (South Eastern Zone), Chennai F.No.4-TSB054/2017-CHN/1250 dated 07.08.2017.
  8. PCCF's Ref.No.5045/2016/FCA-1 dt.22.08.2017.
  9. CF, Adilabad Ref.No.1678/2016/M6(i) dated 03.03.2021.
  10. PCCF's Ref.No.5045/2016/FCA-1 dt. 03.08.2021
  11. CF, Adilabad Rc. No. 1678/2016-M6(i), dt. 03.03.2021.
  12. CCF, Adilabad Ref.No.1678/2016-M6, dt.03.03.2021 & 27.09.2021.\
  13. CCF, Adilabad Ref.No.733/2018-M6, dt.18.11.2021.
  14. CCF, Adilabad Ref.No.733/2018-M6, dt.18.10.2021.

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Kind attention is invited to the references cited.

The CF, Adilabad vide reference 11<sup>th</sup> to 14<sup>th</sup> cited has submitted condition-wise compliance report on the Stage-I approval accorded by the MoEF&CC, GoI, Hyderabad vide 7<sup>th</sup> cited on the subject proposal, alongwith information on violation in the prescribed proforma as called for by the GoI.

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

<b>Sl.No.</b>	<b>Description of the Condition</b>	<b>Compliance</b>
<b>1</b>	<b>2</b>	<b>3</b>
(i)	Legal status of the diverted forest land shall remain unchanged.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(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.	<p>The User Agency has deposited an amount of <b>Rs.15,76,750/- towards construction of pillars &amp; Rs.1,64,209/- towards extraction charges of tree growth totaling to Rs.17,40,959/-</b> in PD Account of FDO, Asifabad on 31.12.2019.</p> <p>And an amount of Rs. Rs.1,72,645/- towards construction of pillars in PD Account of FDO, Kagaznagar on 31.12.2019.</p> <p>The same has been reflected in the Approved -APO-CA – <b>PD Accounts of the concerned Division /Circle.</b></p> <p><b>A copy is enclosed herewith.</b></p>

(iii)	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 2.643 ha out of the 187.677 Ha of non-forest land identified in Sy. No. 169 of Peddamaunagala and in Sy No.139 & 147 of Thimmapuram Chandampet Mandal of Nalgonda District at the cost of user agency.	The User Agency has deposited an amount totaling to <b>Rs. 55,11,246/-</b> (towards NPV @ 16,54,546/- + CA 38,56,700/-) vide <b>UTR No. IDIBH18271169338</b> , Dated:28.09.2018, into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, against the project <b>FP/TG/WATER/18541/2016</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 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 &147) in Chandampet Mandal of Nalgonda District apportioning for various Segments including <b>2.643 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.
(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;	The non-forest land identified for raising compensatory Afforestation has been Transferred and mutated in favour of the State Forest Department.
(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 Ministry 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)	The State Government shall charge the Net Present Value of the diverted forest land measuring 2.643 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)	The User Agency has deposited an amount totaling to <b>Rs. 55,11,246/-</b> (towards NPV @ 16,54,546/- + CA 38,56,700/-) vide <b>UTR No. IDIBH18271169338</b> , Dated:28.09.2018, into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, against the project <b>FP/TG/WATER/18541/2016</b> , which is

	No.202/1995.	<p>reflected as "PAID" in Ministry's portal.</p> <p>For Asifabad Division - <u>15,15,546/-</u>  For Kagaznagar Division - <u>1,39,000/-</u>  <b>Total:16,54,546/-</b></p> <p>A copy of the status obtained from the Ministry's portal is enclosed herewith.</p>																								
(viii)	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.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.																								
(ix)	The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the respective bank account of the Telangana State CAMPA. <b><u>The User Agency shall compulsorily deposit the CA and other levies only by generating challan through the Ministry's website.</u></b>	<p>The User Agency has deposited an amount totaling to <b>Rs. 55,11,246/-</b> (towards NPV @ 16,54,546/- + CA 38,56,700/-) vide <b>UTR No. IDIBH18271169338</b>, Dated:28.09.2018, into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, against the project <b>FP/TG/WATER/18541/2016</b>, which is reflected as "PAID" in Ministry's portal.</p> <p>For Asifabad Division - <u>15,15,546/-</u>  For Kagaznagar Division - <u>1,39,000/-</u>  <b>Total:16,54,546/-</b></p> <p>A copy of the status obtained from the Ministry's portal is enclosed herewith.</p>																								
(x)	State Forest Department shall carry out translocation of the trees, wherever feasible instead of felling at the cost of user agency.	There is no tree growth in the proposed diversion area.																								
(xi)	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.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.																								
(xii)	Trees felling in the proposed forest area shall be carried out whenever necessary with the prior permission of the Divisional Forest Officer concerned.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.																								
(xiii)	DGPS coordinates for an area of 3.80 ha of forest land was uploaded on the web portal as against 2.643 ha proposed for diversion. Hence, correct DGPS coordinates for an area of 2.643 ha and map shall be uploaded in the web portal against the subject online proposal and hard copy of the same shall be furnished along with the compliance report.	<p>The User Agency has submitted the hard copies of DGPS maps for an area of 2.643 ha (copy enclosed).</p> <table border="1"> <thead> <tr> <th>Set map No.</th> <th>Area in Ha</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>0.233</td> <td>Asifabad Division</td> </tr> <tr> <td>1</td> <td>0.331</td> <td>Asifabad Division</td> </tr> <tr> <td>3</td> <td>0.136</td> <td>Asifabad Division</td> </tr> <tr> <td>4</td> <td>0.275</td> <td>Asifabad Division</td> </tr> <tr> <td>5</td> <td>0.204</td> <td>Asifabad Division</td> </tr> <tr> <td>6</td> <td>1.039</td> <td>Asifabad Division</td> </tr> <tr> <td>7</td> <td>0.203</td> <td>Asifabad Division</td> </tr> </tbody> </table>	Set map No.	Area in Ha	Remarks	2	0.233	Asifabad Division	1	0.331	Asifabad Division	3	0.136	Asifabad Division	4	0.275	Asifabad Division	5	0.204	Asifabad Division	6	1.039	Asifabad Division	7	0.203	Asifabad Division
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		8	0.222	Kagaznagar Division								
		Total	<b>2.643</b>									
(xiv)	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><b>Asifabad Division (2.421 ha):</b></p> <p>The User Agency has deposited an amount of Rs.38,38,842/- in the Account of BIOSOT, into A/c No. 110310100030284, IFSC Code: ANDB 0001103, Andhra Bank, Branch: Secretariat Branch, Hyderabad, through UTR NO. 0063879 dt: 31.12.2019. The details are as follows:-</p> <table border="1"> <tr> <td>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 (Wildlife area length is 24.918 kms x Rs. 154059)</td> <td>Rs. 38,38,842/-</td> </tr> </table> <p><b>Kagaznagar Division (0.222 ha):</b></p> <p>The User Agency has deposited an amount of Rs.34,34,983/- in the Account of BIOSOT, into A/c No. 110310100030284, IFSC Code: ANDB 0001103, Andhra Bank, Branch: Secretariat Branch, Hyderabad, through UTR NO. 0063879 dt: 31.12.2019. The details are as follows:-</p> <table border="1"> <tr> <td>Mitigative Measures for Wildlife of Part-IV</td> <td>Rs. 29,46,000</td> </tr> <tr> <td>Mitigative Measures for Planting of Low height evergreen shrubs with shallow roots on the both sites of the pipelines passing through Corridor area of Kawal Tiger Reserve of Penchikalpet Range in Wildlife area in Segment-22/5 (Dahegaon) is 3.174 ms up to 2<sup>nd</sup> year maintenance. (As per 42<sup>nd</sup> Minutes of the meeting has recommended in condition no (5)</td> <td>Rs. 4,88,983/-</td> </tr> <tr> <td><b>Total:</b></td> <td><b>Rs. 34,34,983/-</b></td> </tr> </table>			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 (Wildlife area length is 24.918 kms x Rs. 154059)	Rs. 38,38,842/-	Mitigative Measures for Wildlife of Part-IV	Rs. 29,46,000	Mitigative Measures for Planting of Low height evergreen shrubs with shallow roots on the both sites of the pipelines passing through Corridor area of Kawal Tiger Reserve of Penchikalpet Range in Wildlife area in Segment-22/5 (Dahegaon) is 3.174 ms up to 2 <sup>nd</sup> year maintenance. (As per 42 <sup>nd</sup> Minutes of the meeting has recommended in condition no (5)	Rs. 4,88,983/-	<b>Total:</b>	<b>Rs. 34,34,983/-</b>
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<b>Total:</b>	<b>Rs. 34,34,983/-</b>											
(xv)	State Government and the user agency shall implement mitigation measures as proposed by the DFO Kagaznagar at the project cost.	<b>Detailed above.</b>										
(xvi)	Wherever necessary, user agency shall provide free supply of water for forest, nurseries and field staff quarters and range offices, besides providing outlet with small troughs during summer for wild animals in forest areas.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.										

(xvii)	The user agency should make provisions for supply of water to wildlife at designated places/along with route passing through forest areas, in consultation with Telangana Forest Department, Such provision should be made at intervals of 2 km each. The Chief Wildlife Warden is advised to develop a master plan to use the proposed pipelines for supply of water to the wildlife. Precautions have to be taken to avoid concentration of live stock at the water point.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xviii)	The Forest land proposed for diversion shall under no circumstance be transferred to any other agency, department or person without prior approval of the central Government	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xix)	The Layout plan of the proposal shall not be changed without prior approval of the central Government.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xx)	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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xxi)	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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xxii)	The total forest area utilized for the project shall not exceed 2.643 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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xxiii)	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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xxiv)	The Progress of the Compensatory Afforestation under the jurisdiction of DFO Kaghaznagar Division and reported by the DFO Bellampally in Part-II under Sl.No. 12 (vo (a) & (b) i.e, 94.510 ha of forest land and 196.210 ha of non forest land shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office	The progress of the Compensatory Afforestation will be monitored by the concerned field officers and copy of the monitoring report will be forwarded to the Regional Office, MoEF& CC, Chennai through Nodal Officer for FCA, from time to time besides uploading of the same in web portal.

	to upload the same in the web portal.	
(xxv)	Any other conditions that the Central Government or AddI. 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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xxvi)	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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.

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).

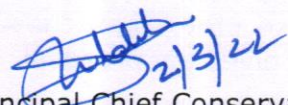
The Conservator of Forests, Adilabad vide reference 13<sup>th</sup> and 14<sup>th</sup> cited has submitted information in prescribed format w.r.t violation as called for by the MoEF&CC, GoI, Chennai. Copies of the same are enclosed herewith.

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

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for Principal Chief Conservator of Forests



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GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT

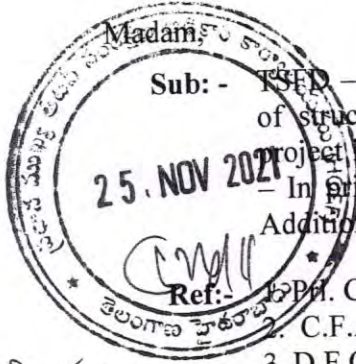
From:

**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,  
**HYDERABAD.**

**Rc.No. 733/2018-M6, Dt. 18-11-2021.**



FCA  
Dy.CF-(MIS)

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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 Asifabad 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:

S. No.	Segment Name & Number	No. of sets
1	22/9- Asifabad	6
2	22/8- Wankidi	6
3	22/5- Dahaegoan	6
4	22/10-Madaram	6
5	22/15- Dhanora	6
6	22/17-Powerguda	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.://

*Sargja*  
MANAGER

*[Signature]*  
18/11

*[Signature]*  
26/11/21

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**Annexure-I -Additional information on all water segments under Mission Bhagiratha-Asifabad Division**

Sl. No	Division	Name of the Proposal and proposals number	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 proposals, if so, details thereof;	Whether any non forestry works has been started in the diverted are without working permission/ Stage-II approvals, if yes, details thereof;	Status of the submission of the compliance report.
1	Asifabad	<b>22-5 (Dahegaon)</b> FP/TG/WATER/18541/2016	<b>2.421</b>	4-TSB054/2017-CHN/1250, Dt.07.08.2017		<b>--No--</b>	Yes, the User Agency was completed the work i.e., Pipeline work & construction of Structures in the diverted areas.  The Pipeline work & construction of Structures is completed an extent of area <b>2.421 Ha</b> as per the proposal/ Alignment/ Stage-I approvals in the Reserve Forest areas without obtaining working permission /Stage-II (Final) Approvals.	Submitted


  
Forest Divisional Officer,  
 Asifabad

  
District Forest Officer  
Komaram Bheem  
(Asifabad)

**Annexure-II -Additional information on all water segments under Mission Bhagiratha-Asifabad Division**

Sl. No	Division	Name of the Proposal and proposals number	Extent of area diverted in Ha	Information on Certain points as per ANNEXURE- II				Remarks if any
				(1) Whether the User Agency started and / or completed the work before issue of Stage-II or without obtaining working permission after Stage-I approval, If yes, Date of commencement and completion of work.	(2) Whether any show cause notice issued to the User Agency for taking up works before obtaining any working permission.	(3) Whether there is any deviation noticed in the alignment and construction of pipeline and structure respectively as against the KML files submitted based on which Stage-I had been approval.	(4) Whether there is any extra area / length diverted than the area/ Length for which Stage-I issued	
1	Asifabad	22-5 (Dahegaon) FP/TG/WATER/1 8541/2016	2.421	Yes, the User Agency was completed the work before issue of Stage-II or without obtaining working permission after Stage-I approval.  Date of commencement : 02.11.2017  Date of completion of work: 20.11.2017	Yes, show cause notice issued to User Agency by the Forest Divisional Officer, Asifabad on 10.11.2021	--No--	--No--	

  
Forest Divisional Officer,  
Asifabad

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

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

<b>1</b>	<b>Name of the User Agency</b>	1. Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal. 2 ) Superintending Engineer, Mission Bhagiratha circle, Mancherial
<b>2</b>	<b>Name of the Project</b>	Diversion of <b>2.421 Ha</b> of Forest land in Asifabad Forest Division in Komaram Bheem District – for laying of Pipelines and construction of Structures in <u>Segment-22/5 (Dahegoan)</u> under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal –In-principle ( <b>Stage-I</b> ) approval accorded
	Mode of execution	Contract System
<b>3</b>	<b>Location of the Project</b>	Dahegaon Mandal of Rebbena Range of Asifabad Division of Kumuram Bheem- District.
<b>a</b>	<b>Forest Details</b>	
	Circle	Adilabad
	District	Kumram Bheem-Asifabad
	Division	Asifabad
	Range	Rebbena
	Forest Block	Chandrapally, Girelly, Hathini & Kunchavelly
	Compartment No.	504, 503, 501, 474, 449, 408, 407, 412, 480, 490, 472 & 491
<b>b</b>	<b>Revenue Details</b>	
	Sy.No.	---
	Mandal	Dahegaon
	Village	Chandrapally, Chinna raspally, Hathini, Kunchavelly, Kharji, Rampur, Diggada, Loha Rebbena, Girivelly & Etapally.
<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>	02.11.2017
<b>7</b>	<b>Date of completion of work (copy of M-Book if available)</b>	20.11.2017
<b>8</b>	<b>Details of work done on forest land (copy of M-Bookif available) (Map enclosed)</b>	

S. No.	Item of work	Forest land involved in (2) (ha)	Quantity of work in violation on (2)		Amount sanctioned on (2) started (Rs.)	Amount spent on violation on (2) (Rs.)	Remarks
			Extent of Area (ha)	In terms of volume (cum)			
1	Laying of Pipe line	2.421	2.421	24210	--	--	The Pipeline work is completed in the Reserve Forest areas without obtaining working permission /Stage-II ( Final) Approvals.

Details of violation							
ID	Area_Ha	Compt no.	Item of works				
1	0.301	504	The Pipeline work is completed in the Reserve Forest areas without obtaining working permission /Stage-II (Final) Approvals.				
2	0.007	503					
3	0.023	501					
4	0.234	474					
5	0.136	449					
6	0.107	408					
7	0.168	407					
8	0.204	412					
9	0.289	480					
10	0.656	490					
11	0.093	472					
12	0.203	491					
	<b>2.421</b>	<b>Total</b>					

9 Period of Work in violation (copy of M-Bookif 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			
1	Laying of Pipe line	2.421 ha	24210	02.11.2017	20.11.2017	The Pipeline work is completed in the Reserve Forest areas without obtaining working permission /Stage-II ( Final) Approvals.		
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	The Executive Engineer, Dy. Executive Engineer & Asst. Executive Engineer of Telangana Drinking Water supply Projects under Mission Bhagiratha		02.11.2017	20.11.2017	The Pipeline work is completed in the Reserve Forest areas without obtaining working permission /Stage-II ( Final) Approvals.		
11 Whether the violation case fits in the criteria specified in the F©Act,1980, Rules, Guidelines and Circulars issued therein?								
a	If YES, details there of			YES				
b	If NO, details there of			--				
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	B. Purnima	Forest Range Officer, Rebbena		03.02.2021				
2	G. Dinesh Kumar, I.F.S.,	Forest Divisional Officer, Asifabad		10.11.2021				
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	Designation	From	To	
1	Laying of Pipe line	2.421	24210	The Executive Engineer, Dy. Executive Engineer & Asst. Executive Engineer of Telangana Drinking Water supply Projects under Mission Bhagiratha		02.11.2017	20.11.2017	The Pipeline work is completed in the Reserve Forest areas without obtaining working permission /Stage-II ( Final) Approvals.
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	Designation	From	To	
-- NIL --								
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			12.03.2016				
b	Date of forwarding by PCCF to CF/DFO			28.03.2016				
c	Date of receipt of processed proposals from CF			09.11.2016				
d	Date of forwarding of proposals to State Government			28.11.2016				
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			--				

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h	Date of State I approval, if issued	Gol, MoEF, &CC, Regional Office, Chennai. F.No. 4-TSB054/2017-CHN/1250, Dt.07.08.2017						
i	Date of submission of compliance by UA	01.07.2020						
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 Gol by SG	--						
m	Date of query(ies) raised by Gol	--						
n	Date(s) of submission of reply(ies) by UA/SG on query(ies) raised by Gol	--						
o	Date of Stage II approval, if issued	--						
p	Date of handing over of forest land to UA.	--						
15	<b>Whether the UA has continued the violation after submission of application for diversion of forest land and before handing over of forest land</b>							
	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	
	--- NIL ---							
16	<b>Whether any committee appointed by the competent authority/ State Government/ Government of India to conduct inquiry on violations</b>							
	If YES, give the details with Order Number and Data		----No----					
17	<b>Details of the Inquiry conducted by committee appointed in Col.No.16</b>							
	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		
	--- NIL---							
18	<b>Action proposed against the officer responsible for violation</b>							
	S. No.	Details of the officers				Remarks		
		Name		Designation				
	---- NIL ----							
19	<b>Remarks of the committee appointed</b>						---	
20								

  
 Forest Divisional Officer,  
 Asifabad

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GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT

Despatched  
On 10/11/21

From  
Sri. G. Dinesh Kumar, I.F.S.,  
Forest Divisional Officer,  
ASIFABAD.

To  
The Superintending Engineer,  
Mission Bhageeratha Circle,  
MANCHERIAL.

Rc.No. 1270/2016/S4A/ S10, Dated: 10.11.2021.

Sir,

Sub:- TSFD – Forest (Conservation) Act 1980– Reported violation of Act by taking up work for Laying of Pipelines and Construction of Structures for **Segment-22/5 (Dahegaon)** under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal – Non forestry works in **2.421 Ha** carried out in the forest area of Asifabad Division by TDWSP(RWS&S) Department – **Show Cause notice issued - Explanation to be furnished** -Regarding.

Ref: 1. GoI MoEF & CC Regional Office Chennai F. No 4-TSB054/2017-CHN/1250, Dt: 07.08.2017.  
2. Prl. C.C.F. TS Hyderabad Rc.No. 5045/2016/FCA-1, Dt: 22.08.2017.  
3. F.R.O., Rebbena submitted violation report Dt: 28.10.2021

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Attention of the Superintending Engineer, Mission Bhageeratha Circle, Mancherial, is invited to the subject cited. The work for Laying of Pipelines and Construction of Structures for **Segment -22/5 (Dahegaon)** under Telangana Drinking Water Supply Project illegally carried out in the following Compartment numbers of Asifabad Division for Diversion of forest land of **2.421 Ha** in the forest area **without obtaining any working permission /Stage-II approval** from Government of India under the provisions of Forest (Conservation) Act 1980.

Sl No	Name of the Division	Name of the Range	violation of Act by taking up work for Laying of Pipelines and Construction of Structures for <b>Segment-22/5 ( Dahegaon)</b>		Remarks
			Compartment Numbers	Area in Ha	
1	Asifabad	Rebbena	504, 503, 501, 474, 449, 408, 407, 412, 480, 490, 472 & 491	2.421	Chandrapally RF, Girelly RF, Hathini RF & Kumchavelly RF.
			<b>Total</b>	<b>2.421</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 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 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-forestation."

**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.

The state Govt. EFS&T Dept vide G.O.Rt. No. 6, dt. 06.07.2007 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.

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In view of the above, Superintending Engineer, Mission Bhageeratha Circle, Mancherla is requested to ensure that, no further work is carried out in violation of the Forest (Conservation) Act, 1980 and Wild Life (Protection) Act, 1972, (Wherever applicable) without final approval from the competent authority. Only after prior approval of the competent authority and fulfilling all requirements, the work can be commenced in the forest area.

The step-by step procedure for submission of proposals by User Agency is available at Ministry's Portal i.e., <http://forestclearance.nic.in/> in the form of a video. The State Forest Department has compiled the Forest (Conservation) Act, 1980, Rules, Guidelines and amendments issued by the MoEF and CC, GoI, in the form of a compendium and the same can be downloaded from <http://forests.telangana.gov.in/pages/FCA.aspx> for ready reference. The Guidelines, Rules and amendments can also be accessed from Ministry's portal. The Step-by-Step procedure to be followed is enclosed as Appendix for ready reference.

Further not to carry out any further work in violation of Forest (Conservation) act 1980 and Wildlife (Protection) Act, 1972 .

Further, 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. You are also requested to furnish your reasons for attempting carrying out the work for Laying of Pipelines and Construction of Structures for Segment -22/5 (Dahegaon) under Telangana Drinking Water Supply Project without obtaining any working permission /stage-II approval from the Government of India and Hon'ble Supreme Court under Forest (Conservation) Act 1980 and Wildlife (Protection) Act 1972.

Yours faithfully,

o/c

*ad*  
Forest Divisional Officer,  
Asifabad  
09/11/21

Copy submitted to the District Forest Officer, KumramBheem-Asifabad for kind information

Copy to the Executive Engineer-Mission Bhagiratha Grid-Sub-Division, Asifabad for information and necessary action.

*ad*  
Forest Divisional Officer,  
Asifabad  
09/11/21

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,  
**HYDERABAD.**



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

Madam,

**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.

FCA  
Dy.C.F.(MIS)

**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:

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.://

*Sanoja*  
MANAGER

4/18/10

verified  
Reply on Showcares  
notice not submitted  
by U/A  
11/11/21

## Annexure-1

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	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 (Kowlia) – 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


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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 GoI 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 GoI 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 Kagaznagar 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**  
**Komararam Bheem**  
**(Asifabad)**

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

## 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	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 (Kowtha) – 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. 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 construction 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 Rc. No. 3726/2015-FCA-I dated 08.06.2017 (addressed to the Adtl. P-I. 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 (Kagaznagar) 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. 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 construction 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.	
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. 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 construction of pipelines and structures as against the KML files submitted.	Yes. An extra area of 0.6336 is being diverted	

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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	Division 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.	The Principal Chief Conservator of Forests, (HoFF) Telangana State Hyderabad vide Rc. No. 3726/2015-FCA-I dated 08.06.2017 (addressed to the Addl. Pri. 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 (Kagaznagar) 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.
5	Division 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					

Forest Divisional Officer  
Kagaznagar

District Forest Officer  
Komaram Bheem  
(Asifabad)

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By speed-post

**GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT**

From  
M. Vijay Kumar, SFS.,  
Forest Divisional Officer,  
Kag haznagar

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

**Rc.No. 1267/2016-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 Kag haznagar forest area of Kag haznagar Division by Superintending Engineer, – **Show Cause notice issued - Explanation to be furnished** – Reg.

- Ref:-**
1. GOI, MoEF & CC, Regional Office, Chennai, F.No. 4-TSB054/2017-CHN/1253, Dt 07.08.2017.
  2. PCCF, TS Hyd, Rc. No. 5045/2016-FCA-1, Dt. 28.03.2016.
  3. F.R.O. Bejjur dated 22.02.2021.

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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 Kag haznagar 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 **0.222 Ha of Forest land in Kag haznagar Division for laying of Pipe Line and construction of Structures in Segment-22/5 (Dahegaon)- 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	22/5 - (Dahegaon )	249	Laying of pipe line	0.222	

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 –

- 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,

  
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.

  
Forest Divisional Officer

Ⓚ Kaghaznagar *WS*

**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	Forest (Conservation) Act, 1980- Diversion of <b>2.643 Ha (0.222 + 2.421 )</b> of Forest land in Kaghaznagar and Bellampally Divisions of erstwhile Adilabad District <b>presently Kaghaznagar Forest Division in Komaram Bheem Asifabad District</b> - for laying of Pipe Line and construction of Structures in <b>Segment-22/5 (Dahegaon)</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 -Stage-I approval accorded.						
<b>3</b>	<b>Location of the Project</b>	Penchikalpet						
<b>a</b>	<b>Forest Details</b>							
	Circle	Adilabad						
	District	KB-Asifabad						
	Division	Kaghaznagar						
	Range	Penchikalpet and Bejjur						
	Forest Block	Bejjur and Kadamba						
	Compartment No.	249						
<b>b</b>	<b>Revenue Details</b>							
	Sy.No.							
	Mandal	Penchikalpet and Bejjur						
	Village	Ellur						
<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	0.222	0.222	2664			
<b>Details of violation</b>								
	<b>ID</b>	<b>Area_Ha</b>	<b>Compt no.</b>	<b>Item of works</b>				
	1	0.222	249	Laying of pipe line				

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	0.222	2664	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 Bhagiratha, Circle Mancherial	03/2016	11/207	The work was carried out without stage II approval		
11 Whether the violation case fits in the criteria specified in the F©Act,1980, Rules, Guidelines and Circulars issued therein?								
a	If YES, details there of				YES			
b	If NO, details there of				--			
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.				
2	M. Vijay Kumar	F.D.O.	29.09.2021					
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	Designation	From	To	



16	<b>Whether any committee appointed by the competent authority/ State Government/ Government of India to conduct inquiry on violations</b>						
	If YES, give the details with Order Number and Data						
17	<b>Details of the Inquiry conducted by committee appointed in Col.No.16</b>						
	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	<b>Action proposed against the officer responsible for violation</b>			
	S. No.	Details of the officers		Remarks
		Name	Designation	
19	<b>Remarks of the committee appointed</b>			
20				

  
**Forest Divisional Officer**  
 Kaghaznagar  


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8  
DESPATCHED  
No. 9/5/17-

Government of Telangana  
Forest Department

From  
Sri M. Ravi Prasad SFS.,  
Forest Divisional Officer,  
Kag haznagar.

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 Kag haznagar 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 (Kag haznagar) - 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. Kag haznagar 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.

-:000:-

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 (Kag haznagar) 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	Kag haznagar	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, Kag haznagar, 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 (Kag haznagar) 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	Kag haznagar	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-forestation.”

**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.

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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,

0/5

Forest Divisional Officer,  
Kag haznagar

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,  
Kag haznagar

1511  
12/6/17

GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT



To  
The Addl. Ptl. 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.

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

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

**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), Govt. 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.

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 length of work in (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
<b>TOTAL:</b>			<b>154.413</b>	<b>15.921</b>	<b>6.987</b>	<b>61.031</b>

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

-611-

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.

Yours faithfully,  
**Sd/- R. Sobha,**

for Principal Chief Conservator of Forests  
& Head of Forest Force

Encl: (As above)

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 //

*ASD 8/6/17*

for Principal Chief Conservator of Forests  
& Head of Forest Force

*ASD 8/6/2017*