

**GOVERNMENT OF TELANGANA
FOREST DEPARTMENT**

From
Smt. R.Sobha, IFS,
Prl. Chief Conservator of Forests &
Head of Forest Force,
Telangana, "Aranya Bhavan",
Saifabad, Hyderabad.

To
The Spl. Chief Secretary to the Govt.
Forest Department,
Telangana, Hyderabad.

Rc.No.10692/2016/FCA-1, Dated.07.02.2022

Madam,

Sub:- TSFD - FCAAct, 1980 - Diversion of 29.216 Ha of forest land in Asifabad (20.484 ha), Utnoor (FDPT) (7.031 ha) and Adilabad (1.701 ha) forest divisions under Adilabad and Komarambheem Districts - for laying of Pipe Line and Construction of Structures in Segment-22/17 (Powerguda)- for providing safe drinking water - under Telangana Drinking Water Supply Project - in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal - In-principle (Stage-I) approval - submission of compliance report and additional information for obtaining Stage-II approval - Reg.

- Ref:-**
1. PCCF's Ref.No.10692/2016/FCA-1 dated 06.05.2017.
 2. State Govt Lr.No.840/For.I(1)/2017-2 dated 07.06.2017.
 3. GoI, MoEF&CC, Regional Office, Chennai F.No.4-TSC096/ 2017-CHN/1111, dt.18.07.2017.
 4. PCCF's Ref.No.10692/2016/FCA-1 dated 08.08.2017.
 5. SE, MB, Warangal (Urban) Lr.No.J1/Warangal/MB/Govt land /handing over/2019 dated 19.08.2019.
 6. PCCF's Ref.No.10692/2016/FCA-1 dt.27.08.2019
 7. CCF, Adilabad Rc.No.3335/2016-M6, dt.22.06.2021.
 8. CCF, Warangal Rc.No.843/2017/D1/CA, dt.10.08.2021.
 9. CCF, Adilabad Rc.No.733/2018-M6, dt.18.11.2021 & 10.12.2022.

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Kind attention is invited to the references cited. The Chief Conservator of Forests /Conservator of Forests, Adilabad vide references 7th & 9th cited and the Chief Conservator of Forests, Warangal vide reference 8th cited has submitted condition-wise compliance report on the Stage-I approval accorded by the IRO, Hyderabad MoEF&CC, Government of India vide 3rd cited on the subject proposal. The condition-wise compliance report is reproduced with remarks as follows:

| Sl. No | Description of Condition | Compliance |
|--------|--|--|
| (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. | <p>The User Agency has deposited the following amount into PD accounts of respective divisions: Adilabad Division (1.701 Ha) :- An amount of Rs. 12,91,025/- (Rs. 11,72,350 for concrete pillars + Rs 1,18,675 for Administrative cost + extraction charges of tree growth Rs.14,400/- totaling to Rs.13,05,425/- with UTR No. UBINH21083411724 Dt: 24.03.2021 into PD Account of FDO, Adilabad.</p> <p>Utnoor Division (7.031 Ha) :- An amount of Rs. 45,24,600/- towards constructions of boundary pillars + 1,24,200/- towards extraction charges of tree growth totaling to Rs.46,48,800/- in PD Account of FDO, Utnoor vide UTR No. UBINH20357892958, Dt: 22.12.2020).</p> <p>KB Asifabad District (20.484 Ha) :- An amount of Rs.1,06,14,550/- in to account of Forest Divisional Officer, Asifabad in CA-PC</p> |

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| | | A/c No. 39046731621, IFSC Code : SBIN0020746, State Bank of India, Branch: Janakapur, vide UTR No. UBINA 22021021201898388, Dt: 12.02.2021. |
| (iii) | The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 30.36 ha in Sy.No.01, marikala Village of Jayashankar Distrtrict Bhupalpally Division at the cost of UA. | The User Agency has deposited an amount totaling to Rs. 7,71,57,628/- (towards NPV Rs. 4,14,35,528/- + CA Rs.3,57,22,100/-), into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, against the project FP/TG/WATER/20033/2016 , 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) | The CA area identified at Sy.No.01 of Marikala Village of Jayashankar District Bhupalpally shall be treated as per the CA scheme approved. | The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith. |
| (vi) | Non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favour of the State Forest Department before issue of the Stage-II clearance; | The User Agency has identified the Non-Forest Land for Compensatory Afforestation (CA) in Sy No.01 to an extent of 30.00 Ha situated in Marikala village & SY.No.2 to a extentof 33.06 Acres has been transferred & Mutated to the Forest Department vide Tahasildar, Venkatapuram Mandal vide Rc.No.B/281/2018, dt.23.02.2019. The land has been taken over by FRO, Venkatapuram vide Lr.dt.23.02.2019. |
| (vii) | Non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as 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. |
| (viii) | The State Government shall charge the Net Present Value of the diverted forest land measuring 29.216 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. | The User Agency has deposited an amount totaling to Rs. 7,71,57,628/- (towards NPV Rs. 4,14,35,528/- + CA Rs.3,57,22,100/-), into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, against the project FP/TG/WATER/20033/2016 , which is reflected as "PAID" in Ministry's portal. A copy of the status obtained from the Ministry's portal is enclosed herewith. |
| (ix) | 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 | The User Agency has agreed to this condition and furnished an undertaking to this effect. |

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| | future, shall be charged by the State Government from User Agency. | |
| (x) | 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. <u>The User Agency shall compulsorily deposit the CA and other levies only by generating challan through the Ministry's website.</u> | The User Agency has deposited an amount totaling to <u>Rs. 7,71,57,628/-</u> (towards NPV Rs. 4,14,35,528/- + CA Rs.3,57,22,100/-), into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, against the project <u>FP/TG/WATER/20033/2016</u> , which is reflected as "PAID" in Ministry's portal. A copy of the status obtained from the Ministry's portal is enclosed herewith. |
| (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 this condition and furnished an undertaking to this effect. |
| (xii) | Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Divisional Forest Officer concerned. | <p>The User Agency has deposited the following amount into PD accounts of respective divisions:</p> <p><u>Adilabad Division (1.701 Ha) :-</u></p> <p>An amount of Rs.14,400/- towards extraction charges of tree growth is deposited on Dt: 24.03.2021 into PD Account of FDO, Adilabad.</p> <p><u>Utnoor Division (7.031 Ha) :-</u></p> <p>An amount of Rs.1,24,200/- towards extraction charges of tree growth is deposited in PD Account of FDO, Utnoor vide UTR No. UBINH20357892958, Dt: 22.12.2020).</p> <p><u>KB Asifabad District (20.484 Ha) :-</u></p> <p>There is no tree growth in the diversion area.</p> |
| (xiii) | State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency. | User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith |
| (xiv) | 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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith |
| (xv) | 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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith. |
| (xvi) | The layout plan of the proposal shall not be changed without the prior approval of the Central Government. | The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith. |
| (xvii) | UA shall use existing paths and road 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. |

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| (xviii) | 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. |
| (xix) | The total forest area utilized for the project shall not exceed 29.216 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. |
| (xx) | 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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith. |
| (xxi) | State Govt. and the UA shall implement mitigation measures and other conditions as recommended by the Standing Committee of NBWL vide Ministrys Lr.No.6-69/2017/WL, dt.02.06.2017 at the project cost. | <p>The User Agency has deposited the following amounts:-</p> <p><u>Uttnoor division (7.031 ha) :-</u> An amount of Rs. 1,77,73,000/- vide UTR No. TRID Z0098498, Dt: 22.12.2020) towards for implementation of mitigation measures and other conditions into the account of Telangana State BIOSOT account.</p> <p><u>KB Asifabad division (20.484 Ha):-</u> An amount of Rs. 3,88,10,000/- in the Account of BIOSOT, into A/c No. 110310100030284, IFSC Code: ANDB 0001103, Andhra Bank, Branch: Secretariat Branch, Hyderabad, through UTR No. Z0099762, Dt: 22.12.2020 . The details of which are as follows: 1. Mitigative Measures as per Part-IV - Rs. 1,14,00,000/- 2. 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 177.990 Kms x Rs. 154059)- Rs. 2,74,10,000/-</p> |
| (xxii) | The Progress of the Compensatory Afforestation as reported by the DFO, Adilabad / Asifabad / Uttnoor in Sl.No.12 (v) (a) (b) of Part-II shall be monitored by the Circle Head and a copy of such monitoring shall be forwarded to the Regional Office to upload the same in Web Portal. | The progress of the Compensatory Afforestation under the jurisdiction of F.D.O.s 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. |
| (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 |

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| (xxiv) | UA shall submit annual self compliance report to the RO, Chennai. | The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith |
| (xxv) | 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 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 Indian Express daily news paper of English and Telugu (**copies enclosed**).

The Conservator of Forests, Adilabad vide reference 9th cited has submitted violation report in prescribed proforma pertaining to Asifabad /Utnoor /Adilabad Divisions. Copies of the same are enclosed herewith for ready reference.

In view of the above, the Government are requested to take necessary action for onward submission of the compliance report alongwith enclosures to the IRO, MoEF&CC, GoI, Hyderabad for according final (Stage-II) approval under Section 2 of Forest (Conservation) Act, 1980 and communicate the orders in the matter, at an early date.

Encl:As above

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

Copy to the Chief Conservator of Forests/Conservator of Forests, Adilabad, District Forest Officers, Adilabad, and Kumrambheem-Asifabad and Forest Divisional Officers, Adilabad, Utnoor FDPT and Asifabad for information.

Copy to the Chief Conservator of Forests/Conservator of Forests, Warangal, District Forest Officers, JS Bhupalpally for information.

Copy to the Engineer-in-Chief, Rural Water Supply & Sanitation, SRTGN Bhavan, Errum Manzil Colony, Hyderabad for information.

Copy to the Chief Engineer, Telangana Drinking Water Supply Project (RWS&S), Hyderabad for information.

Copy to the Collector and District Magistrate, Kumrambheem-Asifabad.

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

Copy to the Principal Chief Conservator of Forests (Wildlife) & Chief Wildlife Warden O/o.PCCF TS, Hyderabad.

Copy to the Stock file.

Copy to the District Forest Officer, Mulug and Forest Divisional Officer, Venkatapuram

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

D. Sobha
Superintendent 8/2/2022

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8/2/22

GOVERNMENT OF TELANGANA
FOREST DEPARTMENT

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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. 3335/2016-M6, Dt. 09-03-2022.

Sir,

Sub: - FC Act, 1980 – Diversion of forest land to an extent of diversion of 29.216 ha of forest land in erstwhile Adilabad District and presently Asifabad (20.484 ha), Utnoor (FDPT) (7.031 ha) and Adilabad (1.701 ha) forest Divisions of Adilabad and Komurambheem District – for laying of pipe line and Construction of Structures in Segment -22/17 (Powerguda) – for providing safe drinking water – in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal – In Principle (Stage-I) approval accorded – Condition wise compliance report submitted – Short comings notice – Report submitted - Reg.

Ref: GOI MoEF, CC R.O Chennai Letterr.F.No.4-TSC096/2017-CHN/1111, dt.18.07.2017.
Prl. C.C.F. TS. Hyd. Rc.No.10692/2016-FCA-1, dt.08.08.2017.
CFAC Adilabad Rc.No.3335/2016-M6, dt.25.09.2019.
D.F.O. Adilabad Rc.No.2490/2016/S8, dt.24.05.2021.
D.F.O. KB Asifabad Rc.No.2762/2016/S4A/S10, dt.10.06.2021.
CFAC Adilabad Rc.No.3335/2016-M6, dt.22.06.2021.
Prl. C.C.F. TS. Hyd. Rc.No.10692/2016-FCA-1, dt.27.10.2021
D.F.O. KB Asifabad Rc.No.2054/2017/S4, dt.19.02.2022.

It is submitted that, the Prl. Chief Conservator of Forests, (HoFF) Telangana, Hyderabad vide reference 7th cited has notice shortcoming and requested to submit the detailed report along with required documents for onward submission to the Government.

In this regard the District Forest Officers Adilabad and KB Asifabad vide reference 8th cited has submitted a detailed report are as follows:

1. The reports of the District Forest Officers Adilabad and KB Asifabad are not enclosed.

Reply: The copies of District Forest Officer, KB Asifabad and Adilabad are enclosed.

2. The documentary evidence of the payments made in the accounts of concerned FDOs/DFOs towards demarcation, extraction etc., is not enclosed.

Reply: The bank statement copies of Forest Divisional Officer, Asifabad, Adilabad and Utnoor are enclosed.

3. The documentary evidence of the compensatory levies paid into the Adhoc-CAMPA Account is not enclosed.

Reply: The copies of UTR paid into adhoc CAMPA account of Asifabad, Adilabad and Utnoor are enclosed.

4. The undertaking relating to condition no.(xiii) is not enclosed.

Reply: The undertaking condition no.(xiii) is enclosed.

5. The documentary evidence relating to condition no.(xxi) is not furnished.

Reply: The documentary evidence relating to condition no.(xxi) is enclosed.

6. The copies of the demand notices issued but the FDOs/DFOs are not furnished.

Reply: The copies of the demand notices issued to the user agency is enclosed.

7. Additional information as requested in Prl. CCF TS Hyd. Ref. No. 03/2015/FCA1, dt.12.01.2021 & 02.09.2021.

Reply: The Additional information as requested in Prl. CCF TS Hyd. Ref. No. 03/2015/FCA1, dt.12.01.2021 & 02.09.2021 has already been submitted to the Prl. Chief Conservator of Forests, Telangana, Hyderabad vide CCFAC Adilabad Rc.No.733/2018-M6, dt.10.12.2021 (copy enclosed for ready reference).

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

Encl:-(5 sets of each division undertaking & Violation report)

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

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Carola
MANAGER

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Violation Report under Forest (Conservation) Act, 1980

| | | | | | | | | |
|----------|---|--|----------------------------------|---|--------|--|--|---|
| 1 | Name of the User Agency | 1. Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal. 2) Superintending Engineer, Mission Bhagiratha circle, Mancherla | | | | | | |
| 2 | Name of the Project | Diversion of 20.484 Ha of Forest land in erstwhile Bellampally Division of Adilabad District and presently in Asifabad forest Division of Komaram Bheem District – for laying of Pipelines and construction of Structures for Segment-22/17 (POWERGUDA) under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal –In-principle (Stage-I) approval accorded | | | | | | |
| | Mode of execution | Contract System | | | | | | |
| 3 | Location of the Project | Kerameri, Jodeghat, Ginnedhary & Tiryani Ranges of Asifabad Division of Kumuram Bheem- District. | | | | | | |
| a | Forest Details | | | | | | | |
| | Circle | Adilabad | | | | | | |
| | District | Kumram Bheem-Asifabad | | | | | | |
| | Division | Asifabad | | | | | | |
| | Range | Kerameri, Jodeghat, Ginnedhary & Tiryani | | | | | | |
| | Forest Block | RFs of Dhanora, Sitakhari, Kohinoor, Mahagaon, Thadihatnoor, Daboli & bheempur of Kerameri Range | | | | | | |
| | Compartment No. | 41, 43, 464, 503, 504, 505, 509, 513 & 514 of Kerameri Range. 49,53,61,63,65,78,81,83,84,85,86,88,91,92, 99,111,113,114,115,126,256,265,452,453,455, 456,458,461,462,466,467,468,469,470,472,473, 477,478,481,482,483,484,486,491,192,493,494, 499,500 & 475 of Jodegaht Range. 95, 111, 115, 116, 126, 128, 132, 133, 141, 144, 151, 154, 155, 156, 161, 183, 184, 185, 193 & 205 of Ginnehdary Range. 195, 196, 177 & 179 of Tiryani Range | | | | | | |
| b | Revenue Details | | | | | | | |
| | Sy.No. | --- | | | | | | |
| | Mandal | Kerameri Mandal of Kerameri Range, Lingapur, Jainoor, Kerameri of Jodeghat Range, Tiryani Mandal of Ginnedhary Range & Tiryani Mandal of Ginnedhary | | | | | | |
| | Village | 1.Kerameri Range : Chintakarra, Kerameri,, Kopaguda, Mettapipri,tokenmova, Jaganathaguda, Polasa, Soyaguda, Pawarguda, Garenguda, Daboli, Shekguda, Jaduguda, Leninguda, Nandunayak thanda, Ramnayak thanda, Somjiguda and Kevlaguda Kerameri Range. 2. Jodeghat Range : Jainoor, Dubbaguda, Mahagaon, Maralwai, Alliguda, Sirpur –U, Mamidipalli, Lingapur,, Vanjariguda,, Jamuldhara, Yellapatar, Rotiguda, Surdhapur, Bhalanpur, Pedda dhoba, Rasimetta, Chibnthaguda, Babjipet, Chinnakohinoor. | | | | | | |
| 4 | Number and Date of Technical Sanction (copy enclosed) | --- | | | | | | |
| 5 | Number and Date of Administrative Sanction (copy enclosed) | --- | | | | | | |
| 6 | Date of Starting the Work | 08.08.2017 | | | | | | |
| 7 | Date of completion of work (copy of M-Book if available) | 13.05.2019 | | | | | | |
| 8 | Details of work done on forest land (copy of M-Book if available) (Map enclosed) | | | | | | | |
| | S. No. | Item of work | Forest land involved in (2) (ha) | Quantity of work in violation on (2) Extent of Area (ha) In terms of volume (cum) | | Amount sanctioned on (2) started (Rs.) | Amount spent on violation on (2) (Rs.) | Remarks |
| | 1 | Laying of Pipelines and construction of Structures | 20.484 | 20.484 | 204840 | -- | -- | The Pipeline work & construction of Structures is completed in the Reserve Forest areas without obtaining working permission /Stage-II (Final) Approvals. |
| | 2 | Laying of Pipelines | | 0.082 | 820 | -- | -- | User Agency was carried out extra work, diverted than the area to extent of 0.082 Ha |

| Details of violation | | | | | | |
|----------------------|---------|--|--|--|---|--|
| ID | Area_Ha | Compt no. | | | Item of works | |
| Kerameri Range | 1.678 | 41, 43, 464, 503, 504, 505, 509, 513 & 514 | | | The Pipeline work & construction of Structures is completed in the Reserve Forest areas without obtaining working permission /Stage-II (Final) Approvals. | |
| Jodegaht Range | 10.559 | 49,53,61,63,65,78,81,83,84,85,86,88,91,92, 99,111,113,114,115,126,256,265,452,453,455, 456,458,461,462,466,467,468,469,470,472,473, 477,478,481,482,483,484,486,491,192,493,494, 499,500 & 475 | | | | |
| Ginnedhary Range | 6.855 | 95, 111, 115, 116, 126, 128, 132, 133, 141, 144, 151, 154, 155, 156, 161, 183, 184, 185, 193 & 205 | | | | |
| | 0.082 | Tiryani Ext (extra/ additional area diverted) | | | | |
| Tiryani Range | 1.392 | 195,196,177 & 179 | | | | |
| Total | 20.566 | | | | | |

| 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 | |
| 1 | Laying of Pipelines and construction of Structures | 20.484 | 20.484 | 08.08.2017 | 13.05.2019 | The Pipeline work & construction of Structures is completed in the Reserve Forest areas without obtaining working permission /Stage-II (Final) Approvals. |
| 2 | Laying of Pipelines | | 0.082 | | | User Agency was carried out extra work, diverted than the area i.e, Length is 8359.43 meters with a width of 0.70 meters. |

| 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 Pipelines and construction of Structures | The Executive Engineer, Dy. Executive Engineer & Asst. Executive Engineer of Telangana Drinking Water supply Projects under Mission Bhagiratha | | 08.08.2017 | 13.05.2019 | 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 | K. Ravinder. | Forest Divisional Officer, Asifabad | 20.03.2017 | |
| 2 | G. Dinesh Kumar I.F.S., | Forest Divisional Officer, Asifabad | 08.11.2021 | |

| 13 Whether the work is stopped by UA after issuing of show-cause notice by FD | |
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| a | If YES, the extent of work done till issue of show-cause notice |

| | | | | | | | |
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| 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 Data | | ----No---- | | | | |
| 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 | |
| | --- NIL--- | | | | | | |
| 18 | Action proposed against the officer responsible for violation | | | | | | |
| | S. No. | Details of the officers | | | | Remarks | |
| | | Name | | Designation | | | |
| | --- NIL --- | | | | | | |
| 19 | Remarks of the committee appointed | | | | --- | | |
| 20 | | | | | | | |

Forest Divisional Officer,
Asifabad
05/11/24

823-
GOVERNMENT OF TELANGANA
FOREST DEPARTMENT

| |
|------------|
| Despatched |
| On 3/4/17 |
| Signature |

From
Sri K. Ravinder
Forest Divisional Officer
ASIFABAD.

To
The Executive Engineer,
TDWSP (RWS&S)
ASIFABAD.

Rc.No. 1268/2016/S10, Dated: 20.03.2017.

Sir,

Sub: TSFD - Forest (Conservation) Act 1980 & Wildlife (Protection) Act 1972 Diversion of 17.415 Ha of Forest Land in Asifabad Forest Division for laying Drinking Water Pipeline 22/17 (Powerguda) Segment Buffer area for providing safe drinking water to Kumrambheem Asifabad District under Telangana Drinking Water by taking up non forestry works (Pipeline) work in Asifabad Division - Show Cause notice- Explanation to be furnished - Reg.

* * *

Attention of the Executive Engineer, TDWSP (RWS&S) Asifabad of is invited to the subject cited, the Forest Range Officer, I/c. Jodeghat has reported that the pipeline of Drinking water supply has been laid out in Compt. Nos. 468, 469, 470, 472, 473, 477, 478, of Chorpally RF Block, 466, 467 of Kanchanpally RF, without approval of the proposal of Powerguda (22/17) segment from Central Government under the provisions of Forest (Conservation) Act 1980. No work should be carried out in Reserve Forest without the prior permission of the Central Government under the provision of Forest (Conservation) Act 1980. If the said work carried out with the approval of Government of India under the provision of Forest (Conservation) Act 1980, a 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.

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.

- iii. "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 that any Reserved forest or any portion thereof, shall cease to be Reserved.

- iv. 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 Acts-

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 -

- (c) by any department of Government, the head of the department; or
- (d) 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 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.

In view of the above, **the Executive Engineer, TDWSP (RWS&S) Asifabad** is requested to explain the reasons for commencing the pipeline work (Powerguda 22/17) segment in Buffer areas of Jodeghat Range of Asifabad Division without obtaining Stage-I approvals from the competent authority, the act which is violating the FC Act 1980 and Wildlife (Protection) Act 1972. You are requested to furnish your explanation 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 this matter.

Yours faithfully,

12/11
Forest Divisional Officer,
Asifabad.

- Copy submitted to the Superintending Engineer, TDWSP (RWS&S) Nirmal for favour of information and necessary action.
- Copy submitted to the Nodal Officer, O/o PCCF (HoFF), Aranya Bhawan, Saifabad, Hyderabad for favor of information.
- Copy submitted to the Chief Conservator of Forests, FDPT / KTR Circle, Nirmal for favor of information.
- Copy submitted to the District Collector, Kumrambheem Asifabad for favor of information.
- Copy submitted to the District Forest Officer, Kumrambheem Asifabad for favor of information.
- Copy to Forest Range Officer, I/c. Jodeghat for information and n/a.

Forest Divisional Officer,
Asifabad.

829-

GOVERNMENT OF TELANGANA
FOREST DEPARTMENT

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

To
The Superintending Engineer,
Mission Bhageeratha Circle,
MANCHERIAL.

Rc.No. 2762/2016/S4A/S10, Dated: 11.11.2021.

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-22/17 (Powerguda)** under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal – Non forestry work in **20.484 Ha** and **0.082 ha** extra work 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., F. No 4-TSC096/2017-CHN/1111, Dt: 18.07.2017
2. Prl. C.C.F. TS Hyderabad Rc.No. 10692/2016/FCA-I, Dt: 08.08.2017
3. F.D.O., Asifabad Rc.No.1268/2016/S10, Dt: 20.03.2017 (Show cause notice issued to User Agency).
4. F.R.O., Kerameri Rc.No. MB/2020/KRMR, Dt: 01.11.2021
5. F.R.O., Jodeghat Rc.No. MB/2020/JDG, Dt: 01.11.2021
6. F.R.O., Ginnedhary submitted violation report Dt: 05.11.2021.
7. F.R.O., Tiryani Rc.No. MB/ Tiryani/2021-22, Dt: 02.11.2021.

In continuation of this office reference 3rd cited and 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-22/17 (Powerguda)** under Telangana Drinking Water Supply Project illegally carried out in the following Compartment numbers of Asifabad Division for Diversion of forest land **20.484 Ha** and **0.082 ha** extra work carried out 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 Segment-22/17 (Powerguda) | | Remarks |
|-------|----------------------|-------------------|--|---------------|--|
| | | | Compartment Numbers | Area in Ha | |
| 1 | Asifabad | Kerameri | 41, 43, 464, 503, 504, 505, 509, 513 & 514 | 1.678 | Dhanora, Sitakharl, Kohinoor, Mahagaon, Thadihatnoor, Daboli & bheempur. |
| 2 | Asifabad | Jodeghat | 49,53,61,63,65,78,81,83,84,85,86,88,91,92, 99,111,113,114,115,126,256,265,452,453,455, 456,458,461,462,466,467,468,469,470,472,473, 477,478,481,482,483,484,486,491,192,493,494, 499,500 & 475 | 10.559 | Dhanora, Tiryani, Kawal, Marlawai, Kanchanpally, Chorpally |
| 3 | Asifabad | Ginnedhary | 95, 111, 115, 116, 126, 128, 132, 133, 141, 144, 151, 154, 155, 156, 161, 183, 184, 185, 193 & 205 | 6.855 | Tiryani & Rally RF |
| | | Ginnedhary | Tiryani Ext (extra/ additional area diverted) | 0.082 | Tiryani Ext |
| 4 | Asifabad | Tiryani | 195, 196, 177 & 179 | 1.392 | Tiryani & Rally RF |
| | | | Total | 20.566 | |

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-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.

231

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.

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 -22/17 (Powerguda) 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,

Ced
Forest Divisional Officer,
Asifabad
05/11/14

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.

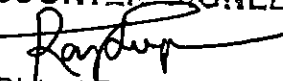
Ced
Forest Divisional Officer,
Asifabad
05/11/14

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

| Sl. No | Name of the Proposal and proposals number | Division | Extent of area diverted in Ha | Dated of Stage-I approval | Copy of the Government order for the Project | Working permission order issued for the proposals, if so, details thereof; | Whether non forestry works has been started in the diverted area without working permission/ Stage-II approvals, if yes, details thereof; | Status of the submission of the compliance report. |
|--------|---|--------------|-------------------------------|---------------------------|--|--|---|--|
| 1 | 2 | | 3 | 4 | 5 | 6 | 7 | 8 |
| 1 | 22/17 (Powerguda) (WL) FP/TG/WATER/ 20033/2016 | Utnoor(FDPT) | 7.031 Ha | 18.07.2017 | | --No-- | Yes, the User Agency has completed the work i.e., Laying of Pipeline & construction of Structures in the diverted areas. The Laying of Pipeline & construction of Structures has been completed to an extent of 7.031 Ha 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
 Utnoor(FDPT)

COUNTER SIGNED


 District Forest Officer,
 Adilabad.

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

| Sl. No | Name of the Proposal and proposals number | Extent of area diverted in Ha | Division/ Range | Division wise 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 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 1 | 22/17 (Powerguda) (WL) FP/TG/WATER/ 20033/2016 | 7.031 Ha | Utnoor (FDPT) | 7.031 | Yes, the User Agency has completed the work before issue of Stage-II or without obtaining working permission after Stage-I approval. | Yes, Show cause notice issued to User Agency by FDO Utnoor(FDPT) on 22.01.2021 | As per the reports of the Forest Range Officers there is NO deviation | --No-- | |


 Forest Divisional Officer
 Utnoor(FDPT)

COUNTER SIGNED


 District Forest Officer,
 Adilabad.

Violation Report under Forest (Conservation) Act, 1980

831


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|----|--|---|--|---|--------------------------|--|--|---------|
| 1 | Name of the User Agency | | SE, TDWSP (RWS&S) Circle Nirmal | | | | | |
| 2 | Name of the Project | | Diversion of 7.031 Ha (WL)(3.299Ha in Sirchelma Range & 3.732 Ha in BirsaiPET Range) of Forest Land for laying of pipeline and construction of structures in segment 22/17(Powerguda) (WL) for providing safe drinking water to Adilabad District. | | | | | |
| | Mode of execution | | | | | | | |
| 3 | Location of the Project | | Powerguda | | | | | |
| a | Forest Details | | | | | | | |
| | Circle | | Adilabad | | | | | |
| | District | | Adilabad | | | | | |
| | Division | | Utnoor(FDPT) | | | | | |
| | Range | | Sirchelma (KTR) & BirsaiPET | | | | | |
| | Forest Block | | Sirchelma,Utnoor Ext-II, Utnoor, Marlawai, Kawal | | | | | |
| | Compartment No. | | 186,187,204,205,207,208,209,210,389,390,391,393,395,396,397,429,430,446,432,445,434,433,436,449,451,450,12,17,19,45,43,18,6,7,14,42,44,47,59,63,44,48 | | | | | |
| b | Revenue Details | | | | | | | |
| | Sy.No. | | | | | | | |
| | Mandal | | | | | | | |
| | Village | | | | | | | |
| 4 | Number and Date of Technical Sanction (copy enclosed) | | | | | | | |
| 5 | Number and Date of Administrative Sanction (copy enclosed) | | | | | | | |
| 6 | Date of Starting the Work | | 18.10.2017 | | | | | |
| 7 | Date of completion of work (copy of M Book if available) | | 05.11.2018 | | | | | |
| 8 | Details of work done on forest land (copy of MBook if available) (Map enclosed) | | | | | | | |
| | 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 |
| | 1 | Segment 22/17 (Powerguda)(WL) | 7.031 | Extent of Area (ha) | In terms of volume (cum) | | | |
| | | Details of violation | | | | | | |
| | | ID | Area_Ha | Compt no. | | | Item of works | |
| | | | 7.031 | 186,187,204,205,207,208,209,210,389,390,391,393,395,396,397,429,430,446,432,445,434,433,436,449,451,450,12,17,19,45,43,18,6,7,14,42,44,47,59,63,44,48 | | | Laying of Pipe line & Const. of structures | |
| 9 | Period of Work in violation (copy of MBook 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 | | |
| | 1 | Segment 22/17 (WL)(Powerguda) | 7.031 | 70310 | 18.10.2017 | 05.11.2018 | | |
| 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 | | |
| 11 | Whether the violation case fits in the criteria specified in the F©Act,1980, Rules, Guidelines and Circulars issued therein? | | | | | | | |

839-

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|----|--|--|---------------------|--------------------------------------|-------------------------|------------------|----------------|------------|---------|
| 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 | | | | | | |
| | | | FDO, Utnoor(FDPT) | 05.11.2018 & 22.01.2021 | | | | | |
| 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 | Segment 22/17 (WL)Powerguda | 7.031 | 70310 | | FDO,Utnoor(FDPT) | 18.10.2017 | 05.11.2018 | |
| 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 | |
| | | | | | | | | | |
| 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 | | | | | | 29.04.2016 | | |
| b | Date of forwarding by PCCF to CF/DFO | | | | | | 09.05.2016 | | |
| c | Date of receipt of processed proposals from CF | | | | | | 19.02.2017 | | |
| d | Date of forwarding of proposals to State Government | | | | | | 01.05.2017 | | |
| 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 (Gol) by State Government (SG) | | | | | | | | |
| h | Date of State I approval, if issued | | | | | | | | |
| 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 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 | Whether the UA has continued the violation after submission of application for diversion of forest land and before handing over of forest land | | | | | | | | |

841-

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|---|--|---------------------------------|--------------------------|--|-----------------------------------|----------------|----|---------|--|
| 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 22/17 (Powerguda)(WL) | 7.031 | 70310 | | | | | | |
| 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 Data | | | | | | | | | |
| 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 | | | | | | |
| | | | | | | | | | |
| 19 Remarks of the committee appointed | | | | | | | | | |
| 20 | | | | | | | | | |


Forest Divisional Officer,
Utanoor(FDPT)

COUNTER SIGNED

District Forest Officer,
Adilabad.

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. 10-12-2021.

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.

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. Adilabad Rc.No.187/2021/S8, dt.09.12.2021.

In compliance with the instructions issued in the reference 1st cited, I am submitting herewith the additional information sought by the Government of India MoEF CC Regional office Chennai received from the District Forest Officer, Adilabad vide reference 3rd cited for diversion of forest land for laying of Pipeline and construction of structures in Adilabad, Echoda and Utnoor FDPT 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 | 21/1- Mavala | 6 |
| 2 | 21/2-Chinchughat | 6 |
| 3 | 21/8- Sirchelma | 6 |
| 4 | 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.://

MANAGER

21/1 - 0/N CRE & AI prepared
21/2 - shoot-comings
awaited
23/12/2021

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

| Sl. No | Name of the Proposal and proposals number | Division | Extent of area diverted in Ha | Dated of Stage-I approval | Copy of the Government order for the Project | Working permission order issued for the proposals, if so, details thereof; | Whether non forestry works has been started in the diverted area without working permission/ Stage-II approvals, if yes, details thereof; | Status of the submission of the compliance report. |
|--------|---|----------|-------------------------------|---------------------------|--|--|--|--|
| 1 | 2 | | 3 | 4 | 5 | 6 | 7 | 8 |
| 1 | 22/17 (Powerguda) (WL) FP/TG/WATER/ 20033/2016 | Adilabad | 1.701 Ha (FCA) | 18.07.2017 | | --No-- | <p>Yes, the User Agency has completed the work i.e., Laying of Pipeline & construction of Structures in the diverted areas.</p> <p>The Laying of Pipeline & construction of Structures has been completed to an extent of 1.701 Ha (FCA) as per the proposal/ Alignment/ Stage-I approvals in the Reserve Forest areas without obtaining working permission /Stage-II (Final) approvals.</p> | Submitted |

Forest Divisional Officer
Adilabad

COUNTER SIGNED

District Forest Officer,
Adilabad.

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

| Sl. No | Name of the Proposal and proposals number | Extent of area diverted in Ha | Division/ Range | Division wise 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 pipelines and structure respectively as against the KPI. 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 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 1 | 22/17 (Powersguda) (WL) FP/TG/WATER/ 20033/2016 | 1.701 Ha (FCA) | Adilabad | 1.701 | Yes, the User Agency has completed the work before issue of Stage-II or without obtaining working permission after Stage-I approval. | Yes, Show cause notice issued to User Agency by FDO Adilabad on 21.01.2021 | As per the reports of the Forest Range Officers there is NO deviation | --No-- | |

Forest Divisional Officer
Adilabad

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District Forest Officer,
Adilabad.

Violation Report under Forest (Conservation) Act, 1980

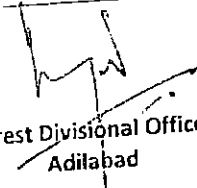
| | | | | | | | | |
|----|---|--|----------------------------------|--------------------------------------|--------------------------|--|--|---------|
| 1 | Name of the User Agency | SE, TDWSP (RWS&S) Circle Nirmal | | | | | | |
| 2 | Name of the Project | Diversion of 1.701 Ha (FCA)(1.182Ha in Indravelly Range & 0.519 Ha in Utnoor Range) of Forest Land for laying of pipeline and construction of structures in segment 22/17(Powerguda) (FCA) for providing safe drinking water to Adilabad District. | | | | | | |
| | Mode of execution | | | | | | | |
| 3 | Location of the Project | Powerguda | | | | | | |
| a | Forest Details | | | | | | | |
| | Circle | Adilabad | | | | | | |
| | District | Adilabad | | | | | | |
| | Division | Adilabad | | | | | | |
| | Range | Indervelly & Utnoor | | | | | | |
| | Forest Block | Wadgaon, Utnoor, Utnoor Ext-II, Tadihatnoor | | | | | | |
| | Compartment No. | 383,380,384,385,403,387,386,388,402,405,447,507,510 | | | | | | |
| b | Revenue Details | | | | | | | |
| | Sy.No. | | | | | | | |
| | Mandal | | | | | | | |
| | Village | | | | | | | |
| 4 | Number and Date of Technical Sanction (copy enclosed) | | | | | | | |
| 5 | Number and Date of Administrative Sanction (copy enclosed) | | | | | | | |
| 6 | Date of Starting the Work | 04.01.2019 | | | | | | |
| 7 | Date of completion of work (copy of M Book if available) | 06.01.2020 | | | | | | |
| 8 | Details of work done on forest land (copy of MBook if available) (Map enclosed) | | | | | | | |
| | 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 |
| | 1 | Segment 22/17 (Powerguda)(FCA) | 1.701 | Extent of Area (ha) | In terms of volume (cum) | | | |
| | | | | 1.701 | 17010 | | | |
| | | Details of violation | | | | | | |
| | | | ID | Area_Ha | Compt no. | Item of works | | |
| | | | | 1.701 | | Laying of Pipe line & Const. of structures | | |
| 9 | Period of Work in violation (copy of MBook 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 | | |
| | 1 | Segment 22/17 (FCA)(Powerguda) | 1.701 | 17010 | 04.01.2019 | 06.01.2020 | | |
| 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 | | |
| | | | | | | | | |
| 11 | Whether the violation case fits in the criteria specified in the FCA Act, 1980, Rules, Guidelines and Circulars issued therein? | | | | | | | |

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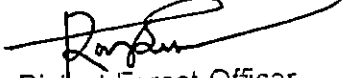
| | | | | | | | | | |
|----|--|---|---------------------|--------------------------|--------------------------------------|---------------|----------------|------------|---------|
| a | If YES, details there of | YES | | | | | | | |
| b | If NO, details there of | | | | | | | | |
| 12 | Whether show-cause 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 | | | | | | |
| | | | FDO, Adilabad | | 06.01.2020 & 21.01.2021 | | | | |
| 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 | Segment 22/17 (FCA) Powerguda | 1.701 | 17010 | | FDO, Adilabad | 04.01.2019 | 06.01.2020 | |
| 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 | |
| | | | | | | | | | |
| 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 | | | | | 29.04.2016 | | | |
| b | Date of forwarding by PCCF to CF/DFO | | | | | 09.05.2016 | | | |
| c | Date of receipt of processed proposals from CF | | | | | 19.02.2017 | | | |
| d | Date of forwarding of proposals to State Government | | | | | 01.05.2017 | | | |
| 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 (Gol) by State Government (SG) | | | | | | | | |
| h | Date of State I approval, if issued | | | | | | | | |
| 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 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 | 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 | | | | | | | | |

8530

| 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 22/17 (Powerguda)(FCA) | 1.701 | 17010 | | | | | |
| 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 | | | | | | Remarks | |
| S. No. | Details of the officers | | Remarks | | | | | |
| | Name | Designation | | | | | | |
| | | | | | | | | |
| 19 | Remarks of the committee appointed | | | | | | | |
| 20 | | | | | | | | |


 Forest Divisional Officer,
 Adilabad

COUNTER SIGNED


 District Forest Officer,
 Adilabad.

Government of Telangana
Forest Department

From
Sri V. Chandrasekhara Rao,
Forest Divisional Officer,
Adilabad.

To
The Superintending Engineer
Mission Bhageeratha Circle,
Mancherial

Re.No. 2831/2016/58, dated 21.01.2021.

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 -22/17 (Powerguda)(FCA) under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP(RWS&S) Circle, Mancherial - Non forestry work in 1.701Ha (FCA) of forest area of Utnoor FDPT Division by TDWSP(RWS&S) Department - Show Cause notice issued - Explanation to be furnished -Regarding.

-.000:-

Attention of the Superintending Engineer, Mission Bhageeratha Circle, Mancherial, Mancherial District is invited to the subject cited. The work for Laying of Pipelines and Construction of Structures for Segment -22/17 (Powerguda) under Telangana Drinking Water Supply Project illegally carried in Compartment Nos 383,380,384,385,403,387,386,388,402,405,447,507,510 of Wadgaon, Pochampally(Ii), Utnoor, Kobbaiguda Beats of Wadgaon, Utnoor, Utnoor Ext-II, Tadihatnoor Reserve forests of Indervelly & Utnoor Ranges of Adilabad Division (Diversion of forest land 1.701 Ha) without obtaining any working permission /stage-II approval 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 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.

- 857-
- 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.

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

859-

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.

In view of the above, Superintending Engineer, Mission Bhageeratha Circle, Adilabad 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, Gol, 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 -22/17 (Powarguda) (FCA) 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,

Forest Divisional Officer,
Adilabad.

21/01/2024

Copy to Executive Engineer, Mission Bhageeratha Division, Asifabad for information.

Forest Divisional Officer,
Adilabad

21/01/2024

COUNTER SIGNED

District Forest Officer,
Adilabad.