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 - FCAct, 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.

 GoI, MoEF&CC, Regional Office, Chennai F.No.4-TSC096/ 2017-CHN/1111, dt.18.07.2017.

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, Waragnal 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:

SI. No	Description of Condition	Compliance	
(i)	Legal status of the diverted forest land shall remain unchanged	condition (undertaking enclosed).	
(ii)	The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement	amount into PD accounts of respective divisions:	
	concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency.	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.	
		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).	
		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	

	,	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 Distrtict Bhupalpally Division at the cost of UA.	The User Agency has deposited an mount 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 Thahasildar, 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.

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. The User Agency shall compulsorily deposit the CA and other levies only by generating challan through the Ministry's website. The User Agency has deposited totaling to Rs. 7,71,57,628/- (to Rs. 4,14,35,528/- + CA Rs.3,57 into the account of Telangana State New Delhi, Lodhi Complex, against FP/TG/WATER/20033/2016, reflected as "PAID" in Ministry's portal is enclosed herewith Ministry's portal is enclosed herewith the Ministry's website. (xi) The muck generated in the earth The User Agency has agreed to the compulsority deposit the CA and other levies only by generating challan through the Ministry's website.	wards NPV 7,22,100/-), ate CAMPA, the project which is rtal. from the
(xi) The muck generated in the earth The User Agency has agreed to the	
cutting if any, will be disposed off at designated dumping sites and in no case the muck/ debris will be	іs епесс.
(xii) Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Divisional Forest Officer concerned. The User Agency has deposited the amount into PD accounts of divisions: Adilabad Division (1.701 Ha): An amount of Rs.14,400/- towards	respective _
charges of tree growth is deposition 24.03.2021 into PD Account of FDC	ited on Dt:
<u>Utnoor Division (7.031 Ha):-</u>	
An amount of Rs.1,24,200/- extraction charges of tree growth i in PD Account of FDO, Utnoor vio UBINH20357892958, Dt: 22.12.20	is deposited de UTR No.
KB Asifabad District (20.484 Ha	
(xiii) State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency. There is no tree growth in the diveruse of user Agency has agreed to complete condition and submitted an unwhich is enclosed herewith	oly with the
(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.	comply with andertaking,
(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	undertaking,
Covernment	comply with
Government. (xvi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government. (xvii) UA shall use existing paths and road The User Agency has agreed to contain the condition and submitted an which is enclosed herewith.	undertaking,

(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 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.	The User Agency has deposited the following amounts:- Utnoor division (7.031 ha):- 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. KB Asifabad division (20.484 Ha):-
		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. 20099762, 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/-
(xxii)	The Progress of the Compensatory Afforestation as reported by the DFO, Adilabad / Asifabad / Utnoor 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	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith

(xxiv)	UA shall submit annual self compliance report to the RO, Chennai.	which is enclosed herewith
(xxv)	Any other conditions that the Central Government or Addl. PCCF(Central) of Regional Office, Chennal 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 condition and submitted an undertaking,
(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, Adialbad, 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.//

Superintendent 8/2/2022

M/22

GOVERNMENT OF TELANGANA FOREST DEPARTMENT

From:

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

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,

26 MAR 2022

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.

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.

FAC Adilabad Rc.No.3335/2016-M6, dt.25.09.2019.

F.O. Adilabad Rc.No.2490/2016/S8, dt.24.05.2021.

F.O. KB Asifabad Rc.No.2762/2016/S4A/S10, dt.10.06.2021.

6/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

8. 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.

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

MANAGER OF ON

819-

Violation Report under Forest (Conservation) Act, 1980

		C . I I I			1. Superintending	Engineer TDV	VSD (RWS&S)	Circle Nirmal		
1	Name o	f the User Age	ency		, ,	•				
-								a circle, Mancherial		
2	D. D.				Diversion of 20.484 Ha of Forest land in erstwhile Bellampally Division of Adilabad District and presently in Asifabad forest					
Ī								ying of Pipelines and		
							7 (POWERGUDA)			
				1				Project in favour of		
								Circle, Nirmal -In-		
					principle (Stage-I)	-		,		
		Mode of exec	ution		Contract System					
3	Locatio	n of the Projec		i	•		arv & Tirvani F	Ranges of Asifabad		
3	Locatio	ii oi tile i tojet	s t	ŧ	Division of Kum					
a	Forest	Details ·					H			
	10,000	Circle	nahahamman harar		Adilabad					
		District			Kumram Bheem	-Asifabad		A STATE OF THE STA		
		Division			Asifabad					
,					Kerameri, Jodeg	that Ginnedh	ary & Tirvani	<u> </u>		
		Range			RFs of Dhanora, S			dihatnoor, Daboli &		
		Forest Block			bheempur of Keram	eri Range				
		Compartmen	t No.		41, 43, 464, 503,			erameri Range.		
	1			- 1	49,53,61,63,65,7					
				. i	99,111,113,114,1 456,458,461,462					
					477,478,481,482					
				f.	499,500 & 475 of	f Jodegaht Ran	ge.			
								, 151, 154, 155, 156,		
					161, 183, 184, 18	-		Range.		
b	Povon	ue Details			195, 196, 177 & :	179 OF THYAILE	range			
U	Keven	Sy.No.								
	<u> </u>	Mandal			Kerameri Mano	lal of Koramo	ri Range linga	nur lainoor		
	ļ	Manuai		ļ			- · - ·			
						neri of Jodeghat Range, Tiryani Mandal of Ginnedhary				
					Range & Tiryani Mandal of Ginnedhary 1.Kerameri Range: Chintakarra, Kerameri,, Kopaguda,					
		Village								
				1	Mettapipri,toker	•				
						warguda, Garenguda, Daboli, Shekguda, Jaduguda, Leninguda, ndunayak thanda, Ramnayak thanda, Somjiguda and Kevlaguda				
					Kerameri Range.		Cilianua, Somji	Ruda allu Keviaguda		
				·	2. Jodeghat Ran			•		
					Jainoor, Dubbag		n Maralwai. All	iguda, Sirpur –U.		
i	1				Mamidipalli, Ling					
					Rotiguda, Surdh					
				and the state of t	Chibnthaguda, B	•		•		
4	Numb	er and Da	te of Te	chnical			JANIHA WALLEY WALLAND			
•		on (copy enclo								
5	Numb	er and Date	of Adminis	strative						
		on (copy enclo					And the second s			
6		of Starting the			08.08.2017			The state of the s		
7	Date of availab	completion of w	ork (copy of M-	-Book if	13.05.2019					
8			on forest la	and (cop	y of M-Book if a	vailable) (Maj	enclosed)			
	S.	Item of work	Forest		tity of work in	Amount	Amount spent	Remarks		
	No.		land	vio	lation on (2)	sanctioned on (2) started	on violation on (2) (Rs.)			
			involved	Extent o Area (ha	1	(Rs.)	/=! (1.01)			
		lavina - f	in (2) (ha)	Asea (fia	yolume (cum)			The Pipeline work &		
	1	Laying of Pipelines and						construction of Structures		
		construction	20.484	20.484	4 204840			is completed in the Reserve Forest areas		
l		of Structures						without obtaining working permission /Stage-II (Final)		
	11 .		[1			<u> </u>	Approvals.		
	<u> </u>									
	2	Laying of Pipelines		0.082	820			User Agency was carried out extra work, diverted than the area to extent of		

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
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	work & construction of Structures is completed in the Reserve Forest areas
Ginnedhary	6.855	95, 111, 115, 116, 126, 128, 132, 133, 141, 144, 151, 154, 155, 156, 161, 183, 184, 185, 193 & 205	without obtaining working permission
Range	0.082	Tiryani Ext (extra/additional area diverted)	/Stage-II
Tiryani Range 1.392		195,196,177 & 179	(Final) Approvals.
Total	20.566		

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

S.	Item of work	Quantit	y of work	Period	of work	Remarks	
No.	(item as Indicated in table at column 8)	Extent of Area (ha)	In terms of volume (cum)	From	То		
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.	Item of work (item	Details of the officers		Period of work		Remarks
No.	indicated in table at Column 8)	Name	Designation	From	То	
1	Laying of Pipelines and construction of Structures	Dy. Exec Asst. Exec Telangan supply	cutive Engineer, utive Engineer & cutive Engineer of a Drinking Water Projects under on 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?

а	If YES, details there of	1	YES	
b	If NO, details there of			rmnmn

Whether show-cause notice is issued to the User Agency by the Forest Department on detection of violation, if so, give details thereof:

S.	Details of	the Forest officer	Date of issuing of show-	Remarks
No.	Name Designation		cause notice]
1	K. Ravinder.	Forest Divisional Officer, Asifabad	20.03.2017	
2	G. Dinesh Kumar I.F.S.,	Forest Divisional Officer, Asifabad	0\$.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		itity of ork	[Details of officers	J	Perio	d of wor	K		Remar	ks
		indicated in table at Column 8}	Extent of area (ha)	In terms of volume (cum)	Nam	ne Desig	nation	Fre	om	To	<u> </u>		
	1	Laying of Pipelines and construction of Structures	20.484	20.484	2. Sar 3. R. F 4. P. S	/enakatarama ndeep Kuma Rakesh Kum Santhosh Ku Krishna Teja	r, DEE, ar DEE, mar, AE	08.08	3.2017	13.05.	2019	The Pipeline & construct Structure completed Reserve For areas with obtaining w permission / Il (Final) App	tion es is in ti ores hout orki /Stap
	2	Laying of Pipelines		0.082								User Agence carried out work, dive than the are Length is 83 meters w width of 0	t extrement in the state of the
b	If NO,	the extent of	work do	ne after is	sue of	f show-ca	ause notice						
	S. No.	Item of work (item	Quar	itity of wo	ork		ils of the ficers		Period o	of	Rema	arks	
		indicated in table at Column 8)	Extent of area (ha)	In teri of vol (cum)	ume	Name	Designa		From	То			
4	Whet	her UA has ap	plied for	diversion	of for		or the sa	id proj	ject, if so	o, give o	details	thereof:	 !
а	Date o	of application s	ubmitte	d to PCCF			un annua d'unchimur d		07.	06.201	6	- HPdf hudenen	
b	Date o	of forwarding b	y PCCF t	o CF/DFO	3				05.	07.201	6		**********
		of receipt of pr					umami			12.201			
d	Date	of forward nment	ing of	proposa	ls to	State			06.	05.201	7		
e		s) of query(ies)	raised b	v FD									
	Date(s) of submise (ies) raised by	sion of) by	UA on							
g	Date	of forwarding (GoI) by State	of propo		iovern	ment of					***************************************		
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16		-			mpetent authori	ty/ State Goverr	ıment/ Governr	nent of
	India t	o conduct inq	uiry on vi	olations			\	*
	If YES,	give the detai	ils with	No	WAR HAND			
	Order	Number and I	Data					
17	Details	of the Inquir	y conduct	ed by committed	e appointed in Col	.No.16		
	S. No.	Date(s) of Inquiry	Ĺ	of the officers present	Reply of t	he officer	Remarks	
			Name	Designation	Deposed before committee on date of inquiry?	Submitted written statement later		
				· · · · · · · · · · · · · · · · · · ·	- NIL			
18	Action	proposed ag	ainst the c	officer responsibl	e for violation			
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			Name		Designation			
					NIL	•		
19	Remar	ks of the com	mittee ap	pointed				
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Forest Divisional Officer,

Asifabad

GOVERNMENT OF TELANGANA FOREST DEPARTMENT

On 3/110 Signature

From
Sri K. Ravinder
Forest Divisional Officer
ASIFABAD.

To
The Executive Engineer,
TDWSP (RWS&S)

Desparation ed

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 authorityshall 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 nonforest 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 3Bdeals 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.

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 thedepartment, or in the case of an authority, any person other thanthe persons referred to in clause (b) of sub-section (1),

such officeror persons shall also be deemed to be guilty of that offence andshall 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 Courton the subject from time to time and issued detailed and precise procedure, tobe followed by all Government Departments / Agencies for taking non forestry workin 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 obtainingnecessary clearance under Forest (Conservation) Act, National Board for Wild Lifeunder Wild Life (Protection) Act,1972 and Hon'ble Supreme Court of India; and alsorequested 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,

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,

Copy submitted to the District Collector, Kumrambheem Asifabad for favor of information.

Copy submitted to the District Forest Officer, Kumrambheem Asifabad for

Copy to Forest Range Officer, I/c. Jodeghat for information and n/a.

Forest Divisional Officer, Asifabad.

820

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: 6.11.2021.

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.

SI	Name of the	Name of	violation of Act by taking up work for Laying of Pipe Construction of Structures for Segment-22/17 (Po	elines and werguda)	Damente
No	Division	the Range	Compartment Numbers	Area in Ha	Remarks
1	Asifabad	Kerameri	41, 43, 464, 503, 504, 505, 509, 513 & 514	1.678	Dhanora, Sitakhari, 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, <u>no non forestry work can be taken up in the forests without prior permission from the Central Government under section 2 section Forest (Conservation) Act 1980.</u> 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 dereservation 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 reafforestation."

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.

In view of the above, Superintending Engineer, Mission Bhageeratha Circle, Mancherial 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,

Forest Divisional Officer,
Asifabad

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.

Forest Divisional Officer,

Asifabad

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

	SI. 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 complianco report.
, L		2		3	4	S	6	7	g
2	1	22/17 (Powerguda) (WL) FP/TG/WATER/ 20033/2016	Utnoor(FDPT)	7.031 Ha	18 07.2017		110	Yes, the User Agency has completed the work i.e., Laying of Pipeline & construction of Structures in the diverted lareas. The Laying of Pipeline & construction of Structures has been completed to an extent of 7.031 Hall as per the proposal/ Alignment/ Stage-1 approvals in the Reserve Forest areas without obtaining working permission /Stage-II (Final) approvals.	Submitted

Forest Divisional Officer
Utnoor(FDPT)

District Forest Officer,
Adilabad.

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

						Inforamtion on	Certain points as pe	er ANNEXURE- II		
(22)	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	(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	Reamrks if any
	1	2	3	4	5	6	7	8	9	10
	:	22/17 (Powerguda) (WL) FP/TG/WATER/ 20033/2016	7.033 Ha	Umbor (FDPT)	7.031	Yes, the User Agneyo 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	110	

Forest Divisional Officer
Utnoor(FDPT)

COUNTER SIGNED

District Forest Officer,

Adilabad.

Violation Report under Forest (Conservation) Act, 1980

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3	Locatio	on of t	ne Project		Powergud	a						
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	•	Distr	ict		Adilabad							
		Divis	on		Utnoor(FE	PT)						
		Rang	е		Sirchelma	(KTR) & Birsai	pet					
		Fores	st Block		Sirchelma	,Utnoor Ext-II,	Utnoo	r, Marlaw	/ai, K	(awal		
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If YES, the extent of work done till issue of show-cause notice	١	Wheth	er show-cause n	otice is iss	sued to the	e User A	geno	y by the Fores	t Dep	artn	nent o	n detection o	
Segment 22/17 No. Name Designation Operation Name Designation Name Name Designation Name N	-		Detai	ils of the F	orest offic	er							
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Whether the work is stopped by UA after issuing of show-cause notice by FD If YES, the extent of work done till issue of show-cause notice					DO Litno	or(EDPT)				 			
If YES, the extent of work done till issue of show-cause notice					-DO, Otho	01(1011)							
If YES, the extent of work done till issue of show-cause notice	+	Milhoth	or the work is st	topped by	UA after	issuing o	f sh	ow-cause notic	e by	FD			
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	S. No.	Item of work (item	Quantity	y of work	Details	of the office	ers	Period o work	f	Remarks	
\	140.	indicated in table at Column 8)	Extent of area (ha)	In terms of volume (cum)	Name	Designat	tion	From	To 		
	1	Segment 22/17 (Powerguda)(WL)	7.031	70310						./.6	ant of India
5	Whet to cor	(Powerguda)(WL) ner any commit nduct inquiry on	tee appoin violations	ted by the	competer	t authority	/ Sta	ate Gover	nmen	t/ Governm	Tent of male
	If YES,	give the details wi	th			todio Cal	No 1				
7	Detai	s of the Inquiry	conducted	by commi	ttee appoi	ited in Col.	NO.1		 ,	Remarks	1
	S.	Date(s) of Inquiry		the office esent	rs	Reply of th	ie ofi	icer	'	Kemarks	
	No.	inquiry	Name	Designat	com	eposed before mittee on of inquiry?	\	bmitted written atement later			
.8	Actio	n proposed agai	nst the off	icer respoi	nsible for v	iolation					
	S. P		Deta	ails of the	officers			R	emar	ks	
	3. l' 		Name		Design	ation					
											4
19	Rem	arks of the comr	nittee app	ointed							
20		and the state of t									

Forest Divisional Officer, Utnoor(FDPT)

COUNTER SIGNED

District Forest Officer, Adilabad.

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NT OF TELANGANA PARTMENT

Dr. G. Ramalingam, I.F.

13 DEC 2021 Chief Conservator of Forests Adilabad Circle Adilabati?

The Prl. Chief Conservator of Forests,

(Head of Forest Force)

Telangana State,

"Aranya Bhavan" Saifabad,

HYDERABAD.

018-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 CF(MIS) 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 Π , the details are as follows:

	S. No.	Segment Name & Number	No. of sets
	1	21/1- Mavala	6
· ·	1/2	21/2-Chinchughat	6
	: 3 .	21/8- Sirchelma	6
8150/16	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.:://

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

Si.	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 compilance report.
1	2	<u> </u>	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	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 1.701 Ha (FCA) as per the proposal/ Alignment/ Stage-II approvals in the Reserve Forest areas without obtaining working permission /Stage-II (Final) approvals.	Submitted

District Forest Officer, Adilabad.

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

Γ						Inforamtion on	Certain points as p	er annexure- II		
	SI. No	Name of the Proposal and proposals number	Extent of area diverted in Ha	Division/ Range	Division wise Extent of area diverted in	(1) Whether the User Agency started and / or completed the work before issue of Stage-II or without obtaining working permission after Stage-	(2) Whather any show cause notice beend to the User Agency for caking up works before obtaining any working permission.	(3) Whether there is any deviation neticed in the alignment and construction of pipeline and structure respectively as against the IDS. (See submitted based on which SCASe-I had been approval.	(4) Whether there is any extra- area / length diverted than the area/ Length for which Stage-I issued	Reamits if any
ļ			i _	!	<u> </u>			8	9	10
-	1	2	3	4	S	6				1
73		22/17 (Powerguda) (WL) FP/TG/WATER/ 20033/2016	1.701 Ha (FCA)	Adilebed	y	Yes, the User Agneyc 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	PiO	

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District Forest Officer,

Adilabad.

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Violation Report under Forest (Conservation) Act, 1980

1	Name	of the User Agency	1		SE,	, TDWS	SP (RWS	S&S) Circle	e Nirm	al	
2	Name	of the Project		tdt.dt.c	Div	version	of 1.7 0	1 Ha (FCA	\)(1.18	2Ha in Ir	ndravelly Range
					& (0.519 F	la in Ut	noor Rang	gė) of F	orest La	nd for laying of
					pip	oeline a	and con	struction	of stru	ctures ir	segment
					22	/17(Po	wergud	la) (FCA) i	for pro	viding sa	ife drinking
					wa	iter to	Adilaba	d District.			
		Mode of executio	n				······································		Mhrnammaranini		
3	Locati	on of the Project	,	**************************************	Ро	wergu	da				
а	Forest	Details									,
		Circle			Ad	lilabad					
		District			Ad	lilabad					
	Ì	Division		***************************************	Ad	ilabad					
		Range			Inc	derveil	y & Utn	oor	· ·		
		Forest Block			Wa	adgaor	,Utnoo	r, Utnoor	Ext-II,	Tadihatr	oor
		Compartment No	•		38	3,380,3	384,385	,403,387,	386,38	8,402,40	05,447,507,510
b	Reven	ue Details									<u> </u>
		Sy.No.									
		Mandal									
		Village									and the second s
4	Numb	er and Date of T	Technical	Sancti	on		***************************************			***************************************	
		enclosed)*	***************************************						tenan era i eranesterrita rittilitarean era ritti	***************************************	
5	Numb	= -	of Admir	nistrati	ve						
	+	on (copy enclosed)				.01.20	10				
6		of Starting the Worl		£ N A						· · · · · · · · · · · · · · · · · · ·	orang francos shows to high the graph against think the last control of the same of the sa
7	1	of completion of wo favailable)	огк (сору с	DT IVI	06	.01.202	20				
8		s of work done on f	orest land	l (copy	of MBc	ok if a	vailable) (Map en	closed)	
			Forest		uantity			Amou		Amount	
			land		violati			sanctio	ned	spent or	ı
	S. No.	Item of work	involved	Ext	ent of		rms of	on (2	' 1	violatio	n Remarks
			in (2)		a (ha)	1	lume	starte	.	on (2)	
	1	Segment 22/17	(ha)				um)	(Rs.)	<u></u>	_(Rs.)	+
		(Powerguda)(FCA)	1.701	1 1	.701	17	010				
					Deta	ils of v	iolation	· · · · · · · · · · · · · · · · · · ·			
		. .	ID	Area	На	Comp	t ,	em of wo	rke		
			,,,	Al Ca,	-''a	no.					
				4 7	. .			ing of Pip	e line		
				1.70	J1			Const. of actures			
9	Period	of Work in violation	n (copy o	f MBoo	k if ava	ilable)	1 361 0				
		Item of work	· · · · · · · · · · · · · · · · · · ·		y of wo			Period	of wor	k	
	S.	(item as					 -		<u> </u>		
	No.	indicated in	Extent	t of	In te	rms of	:	From	١ ,	ro	Remarks
	No.	table at column	Area (ha)	volum	ie (cun	n)	110111	'		
		8)							<u> </u>		
	1	Segment 22/17 (FCA)(Powerguda)	1.701		17	010	04.	01.2019	06.03	1.2020	
10	Name	of the officers resp	onsible fo	r viola	tion				1,		
		Item of work			ne office	ers	Per	iod of wo	rk		J. C. Sina
	S.	(item indicated		- -		-+				p	emarks
	No	. in table at	Name	[)esigna	tion	From	-	Го	"	within the
		Column 8)						_		ļ	
					_	-					
11		er the violation c	ase fits in	the c	riteria	specifi	ied in t	he F©Ac	t,1980	, Rules,	Guidelines and

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YES If YES, details there of If NO, details there of Whether show-cause notice is issued to the User Agency by the Forest Department on detection of 12 violation, if so, give details thereof: **Details of the Forest officer** Date of issuing S. of show-cause Remarks Designation No. Name notice 06.01.2020 & FDO, Adilabad 21.01.2021 Whether the work is stopped by UA after issuing of show-cause notice by FD If YES, the extent of work done till issue of show-cause notice Quantity of Details of the Period of work work Item of work officers In (item Extent S. Remarks indicated in terms of No. tableat of Designation To Name From area Column 8) volume (ha) (cum) FDO, Segment 22/17 04.01.2019 06.01.2020 1.701 17010 (FCA)Powerguda Adilabad b If NO, the extent of work done after issue of show-cause notice Details of the Period of Quantity of work Item of officers work work (item S. In terms Remarks indicated in Extent αf No. From To table at of area Name Designation volume Column 8) (ha) (cum) 14 Whether UA has applied for diversion of forest land for the said project, if so, give details thereof: 29.04.2016 Date of application submitted to PCCF а 09.05.2016 Date of forwarding by PCCF to CF/DFO b 19.02.2017 Date of receipt of processed proposals from CF С Date of forwarding of proposals to State Government 01.05.2017 Date(s) of query(ies) raised by FD Date(s) of submission of reply(ies) by UA on query(ies) 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 Date(s) of query(ies) raised by FD j Date(s) of submission of reply(ies) by UA on query(ies) raised by FD Date of submission of compliance to SG by PCCF 1 Date of submission of compliance to Gol by SG Date of query(ies) raised by Gol m Date(s) of submission of reply(ies) by UA/SG on query(ies) raised by Gol Date of Stage II approval, if issued Date of handing over of forest land to UA. 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

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	S.	Item of work		Quantity of work		Details of the officers			Period of work		Remarks		
	No.	table Colu	ndicated in able at solumn 8)	Extent of area (ha)	In terms of volume (cum)	Na	ime	Designati	tion	From	То		
	1	Segn	ient 22/17 verguda)(FCA)	1.701	17010			ah = alasa		to Gover	nment	t/ Governme	nt of
16	India If YES	YES, give the details with											
17	Deta	Details of the Inquiry conducted by commit						ee appointed in Consolve Reply of the office				Remarks	["
	5.	Di	ate(s) of	Details of the officer present									
	No). !	Inquiry	Name	Designation		comm	osed fore littee on f inquiry?	re st	bmitted written atement later			
	11_	_}_											ل
	Action proposed against the officer responsible for violation Remarks												
18	_+	No.	Op2222 -8	De	OHIL								
	3			Name		Designation							
1	9 Remarks of the committee appointed												
2	0										7		

Forest Divisional Officer, Adilabad

District Forest Officer, Adilabad.

Government of Telangana Forest Department

From Sri V. Chandrasekhara Ran, Forest Divisional Officer, Addabad. To The Superintending Engineer Mission Phagrerathic Circle, Mancherial 1655

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 Bhagecratha 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 Mos 383,380,384,385,403,387,386,388,402,405,447,507,510 of Wadgaon, Pochampally(i). Utnor, Kobbaiguda Beats of Wadgaon, Utnoor, Utnoor Ext-II, Tadihatnoor Reserve forests of Indervelly & Utnoor Ranges of Adilabad Division (Diversion of forest land 1.701 Haj 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 /Wilf Life (Protection) Act, 1972 by you.

In this regard, it is informed that <u>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.</u> 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 dereservation 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.

- 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.

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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-ufforestation."

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:

(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 <u>detailed and precise procedure</u> 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, 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 downloaded compendium and same can be 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.

Forest Divisional Officer,
Adilabad.

Copy to Executive Engineer, Mission Bhagheeratha Division, Asifabad for

information.

Forest Divisional Officer, Adilabad

COUNTER SIGNED

District Forest Officer, Adilabad.