

GOVERNMENT OF TELANGANA
ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT

Memo No.4785/For.I(1)/2016

Dated:20.12.2019

From:
The Special Chief Secretary to Government,
EFS&T Department,
Telangana State Secretariat,
Hyderabad.

To
The Deputy Conservator of Forests (C),
Government of India,
Ministry of Environment, Forests & Climate Change,
Regional Office (South Eastern Zone),
1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,
Nungambakkam, Chennai – 600 034 (w.e.)

Sir,


Sub: FCA, 1980 – Diversion of 1.481 ha of forest land in Nalgonda Division for laying of pipeline and construction of structures in segment -5 for providing safe drinking water under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP Circle, Hyderabad – Furnishing of compliance report - Reg.

Ref: 1. From PCCF (HoFF) (FAC), TS, Hyd., Lr. No. 41/2016/FCA- 1, Dt.28.10.2016.
2. State Govt. Lr.No.4785/For.I (1)/2016-1, Dt:18.11.2016.
3. From GoI, MoEF & CC, Chennai, F.No.4-TSB031/2016 CHN/ 2406, Dt.02.12.2016.
4. Govt. Memo No.4785/For.I (1)/2016-2, Dt:10.01.2017.
5. From Dy. CF (Central), GoI, MoEF & CC, Chennai, F.No.4-TSB031/2016-CHN/0315, Dt.28.02.2017
6. Govt. Memo No.4785/For.I(1)/2016, Dated:09.03.2017.
7. From the PCCF (HoFF), T.S. Hyd. Rc.No.41/2016/FCA-1, Dt:27.09.2019.

*28/12/19
FCAI &
PS*
I, am directed to invite your attention to the reference 5th cited, in which the Government of India, Ministry of Environment and Forestry, have accorded approval in-principle (Stage-I) U/s 2 of Forest (C) Act, 1980, for diversion of forest land to an extent of 3.105 ha in erstwhile Warangal (North) Division presently Bhupalpally forest division under Jayashankar-Bhupalpally District - for laying of Pipe Line in Segment-15/6 (Bhupalpally) under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Warangal, subject to fulfillment of certain conditions as stipulated therein.

2. The Principal Chief Conservator of Forests (HoFF), Telangana State, in his letter 7th cited, has submitted condition wise compliance report on the conditions stipulated in in-principle (Stage-I) approval. The details of which are as follows:-

Sl. No.	Description of the Condition	Compliance	
		1	2
(i)	The Legal status of the diverted forest land shall remain unchanged.	The User Agency has agreed and submitted undertaking that the legal status of the diverted forest land will remain unchanged.	

(PTO)

(ii)	The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of user agency.	The User agency has deposited an amount of Rs.1,75,000/- (part of Rs.1,77,219/-) towards demarcation of the proposed forest area by erecting concrete cement pillars and Rs.2,219/- (part of Rs.1,77,219/-) towards extraction of tree growth, with UTR No.IDIBH18087341290 Dt:28.03.2018 into the PD account of DFO, Suryapet.
(iii)	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 1.481 Ha. Out of the 187.677 Ha. Of Non-forest land identified in Sy.No.169 of Peddamunagala and in Sy.No.139 & 147 of Thimmapuram in Chandampet Mandal of Nalgonda District at the cost of user agency.	The User agency has deposited an amount of Rs.21,61,100/- towards Compensatory Afforestation (CA) and it is the part of Rs.30,88,206/- towards CA scheme into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, with UTR No.IDIBR52018032815988928 Dt:28.03.2018. Same is reflected online at Ministry's portal.
(iv)	The State Government has proposed 1.481 ha. of non-forest land for compensatory afforestation under the subject proposal as part of 187.677 Ha. of non-forest land identified for entire TDWSP projects (Mission Bhageeratha Project). The CA land identified to the extent of 187.677 Ha. for the Mission Bagheeratha Project under the working control of WLM division, Nagarjunasagar shall be apportioned project wise including the CA area identified for the present proposal and all the relevant details like DGPS coordinates, map, soil suitability certificate etc. shall be uploaded in the Ministry's online portal against the subject proposal.	Out of 187.677 ha identified in 3 survey numbers i.e., Peddamunagala (Sy.No.169), Thimmapuram (Sy.No.139 &147)] in Chandampet Mandal of Nalgonda District for CA, under jurisdiction of the FDO, WLM Division, Nagarjunasagar, the non-forest land to an extent of 1.481 ha is earmarked for this project and demarcated with DGPS coordinates for entire area. The co-ordinates, map, CA scheme and soil suitability certificate etc is uploaded in the Ministry's web portal against the subject proposal, duly dividing areas for various projects.
(v)	Identified CA land 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 will not be changed without the prior approval of the Central Government.
(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 non-forest land identified for raising compensatory Afforestation has been transferred and mutated in favour of the State Forest Dept.
(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	The non-forest CA land transferred & 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.

	or under the relevant section(s) of the local forest act. The Nodal Officer must report compliance with in 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.	
(viii)	The User Agency shall pay the Net Present Value of the diverted forest land measuring 4.16 ha. as per the orders of the Hon'ble Supreme Court dated.28.3.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IA's in Writ Petition (Civil) No.202/1995. (Cost indicated above).	The User agency has deposited an amount of Rs.9,27,106/- towards Net Present Value (NPV) and it is the part of Rs.30,88,206/- towards CA scheme into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, with UTR No.IDIBR52018032815988928 Dt:28.03.2018. Same is reflected online at Ministry's portal.
(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 future, shall be paid by the User Agency.	The User Agency has submitted undertaking to pay additional amount of the Net present value (NPV) of the diverted forest land, if any , becoming due after revision of the same by the Hon'ble supreme court of India in future.
(x)	The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the respective bank account of the Telangana State CAMPA. <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 generated a challan through the Ministry's website for total amount of Rs.30,88,206/- and deposited an amount of Rs.21,61,100/- towards CA and Rs.9,27,106/- towards Net present into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, with UTR No.IDIBR52018032815988928 Dt:28.03.2018 value under the project FP/TG/WATER/18269/2016. Same is reflected online at Ministry's portal.
(xi)	Tree standing in the diverted area shall be felled strictly as per requirement with prior permission of the DFO concerned.	The User agency has agreed and submitted Undertaking. Further, the User agency has deposited an amount of Rs.2,219/- (part of Rs.1,77,219/-) towards extraction of tree growth by the forest department with UTR No.IDIBH18087341290 Dt:28.03.2018 into the PD account of DFO, Suryapet.
(xii)	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 and submitted undertaking that 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.
(xiii)	The State Forest Department shall translocate the trees, wherever feasible instead of felling at the cost of User agency.	The User Agency has agreed and submitted undertaking to translocate the trees, wherever feasible instead of felling at the cost of user agency.

(xiv)	The forest land proposed for diversion shall under no circumstances be transferred or subleased to any other agency, department or person without prior approval of the Central Government.	The User Agency has agreed and submitted undertaking that the Forest land proposed for diversion will under no circumstance be transferred to any other agency, department or person without prior approval of the Central Government.
(xv)	The layout plan for the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has agreed and submitted undertaking that the Layout plan of the proposal will not be changed without prior approval of the Central Government.
(xvi)	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 and submitted undertaking that Minimal disturbance will be ensured during creating labour camps outside the forest area as far as possible. The User Agency has further ensured that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna.
(xvii)	The total forest area utilized for the project shall not exceed 1.481 Ha. and the forest area diverted shall not be used for any other purpose other than those shown in the diversion proposal.	The User Agency has agreed and submitted undertaking that the total forest area utilized for the project shall not exceed 1.481 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.
(xviii)	User agency and the State Government shall ensure compliance to provision of the all Acts, Rules Regulations and Guidelines, for the time being in force, as applicable to the project.	The User agency has agreed and submitted Undertaking.
(xix)	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 and submitted undertaking that any other conditions that the Central Government or Addl. PCCF (Central) of Regional Office, Chennai, if any imposed in the interest of Afforestation, Conservation and Management of flora and fauna in the area, will be complied by the user agency.
(xx)	The Progress of the Compensatory afforestation as mentioned by the DFO, Paloncha (presently FDO, Managuru) Division in Sl.No.12(V)(a) (b) of part-II i.e., 55.13 Ha forest land and 2292.817 Ha of non forest land shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal.	The progress of the Compensatory Afforestation will be monitored by the concerned field officers and copy of the monitoring report will be forwarded to the Regional Office, MoEF & CC, Chennai through Nodal Officer for FCA, from time to time besides uploading of the same in web portal.
(xxi)	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 and submitted undertaking that in 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.

(Contd...)

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3. I am to inform that the stage-I clearance has been published by the User Agency in English and Telugu daily newspapers on **18.09.2018**.

4. I am also to enclose a copy of the letter 7th cited along with its enclosures of the Principal Chief Conservator of Forests (HoFF), Telangana State, Hyderabad and to request you to obtain and communicate final (Stage.II) approval, at the earliest.

Yours faithfully,



for Special Chief Secretary to Government

Copy to:

The Principal Chief Conservator of Forests (HoFF),
Telangana State, Hyderabad.

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