

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

Letter No.1918/For.I(1)/2017

Dated:30.05.2020

From
The Principal Secretary to Government(FAC)
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 - Diversion of forest land to an extent of **4.115 ha (Nizamabad 2.168 ha + Banswada 1.947 ha) under Nizamabad & Kamareddy Districts**, for laying of Pipeline and Construction of structures in **Segment-12/3 (Banswada)** under Telangana Drinking Water Supply Project, in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal.-
Furnishing of Compliance report - Regarding

Ref:- 1)From the PCCF (HoFF), T.S., Hyd. Ref.No.4033/2016/FCA-1
Dated: 29.04.2017

2)State Govt. Lr.No.1918/For.I (1)/2017-1, Dt:09.06.2017

3)From GoI, MoEF & CC, Chennai, F.No.4-TSB102/2017-
CHN/1137,dt.21.07.2017

4)Govt.Memo No.1918/For.I(1)/2017, Dated:31.07.2017.

5)From the PCCF (HoFF), T.S. Hyd. Rc.No.4033/2016/FCA-1,
Dt:21.12.2020.

I, am directed to invite your attention to the reference 3rd 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 **4.115 ha (Nizamabad 2.168 ha + Banswada 1.947 ha) under Nizamabad & Kamareddy Districts**, for laying of Pipeline and Construction of structures in **Segment-12/3 (Banswada)** under Telangana Drinking Water Supply Project, in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal, subject to fulfillment of certain conditions as stipulated therein.

2. The Principal Chief Conservator of Forests (HoFF), Telangana State, in his letter 5th 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	3
1.	The Legal status of the diverted forest land shall remain unchanged.	The UA has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.

2.	The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of user agency.	<p>The User Agency has deposited an amount of Rs.82,06,000/- into PD account of FDO, Nizamabad vide UTR No.IDIBH18071397304 dt.12.03.2018, which includes Rs.78,79,000/- towards cost of construction of boundary pillars.</p> <p>The User Agency has deposited an amount of Rs.21,43,000/- into PD account of FDO, Banswada vide UTR No.IDIBH18071397833 dt.12.03.2018, which includes Rs.18,43,000/- towards cost of construction of boundary pillars.</p>
3.	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 4.115 Ha out of the 145.18 Ha of non-forest land identified in Sy.No.100 of Nagilla Village at Madgui Mandal in Amangal Range of Amangal Division at the cost of user agency.	<p>The User agency has deposited an amount of Rs.66,66,992/- (36,94,192+ 29,72,800) into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, with UTR No's.IDIBH18071396947 & IDIBH18071397068, dt.12.03.2019 respectively which includes an amount of Rs.37,07,292/- towards CA scheme against the project proposal No.FP/TG/WATER/18278/2016 and same is reflected online in the Ministry's portal.</p>
4.	Identified CA land and approved CA scheme 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
5.	The CA area identified at Amangal Division which is apportioned project wise 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
6.	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 by the User Agency for raising CA has been transferred and mutated to an extent of Ac.176-00 gts equivalent to 71.082 Ha in favour of the State Forest Dept. Out of 71.082 ha, the non-forest land to an extent of 4.115 ha will be apportioned for this segment, as per the approved CA scheme.
7.	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 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	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.

	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.	
8.	The User Agency shall pay the Net Present Value of the diverted forest land measuring 4.115 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.	The User agency has deposited an amount of Rs.66,66,992/- (36,94,192+ 29,72,800) into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, with UTR No's.IDIBH18071396947 & IDIBH18071397068, dt.12.03.2019 respectively which includes an amount of Rs.29,59,700/- towards payment of NPV against the project proposal No.FP/TG/WATER/18278/2016 and same is reflected online in the Ministry's portal.
9.	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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
10.	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 deposited an amount of Rs.66,66,992/- (36,94,192+ 29,72,800) into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, with UTR No's.IDIBH18071396947 & IDIBH18071397068, dt.12.03.2019 respectively which includes an amount of Rs.29,59,700/- towards NPV and an amount of Rs.37,07,292/- towards CA against the project proposal No.FP/TG/WATER/18278/2016 and same is reflected online in the Ministry's portal.
11.	The muck generated in the earth cutting if any, will be disposed off at designated dumping sites and in no case the muck/debris will be disposed off in the forest areas.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith
12.	Tree felling in the proposed forest area shall be carried out wherever necessary with the prior permission of the District Forest Officer concerned.	The User Agency has deposited an amount of Rs.82,06,000/- into PD account of FDO, Nizamabad vide UTR No.IDIBH18071397304 dt.12.03.2019, which includes Rs.3,27,000/- towards tree Growth (timber) Extraction and Transportation in Nizamabad Division. Like-wise, the User Agency has deposited an amount of Rs.21,43,000/- into PD account of FDO,Banswada vide UTR No.IDIBH18071397833 dt.12.03.2019, which includes Rs.3,00,000/-

		<p>towards tree Growth (timber) Extraction and Transportation in Banswada Division.</p> <p>The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith</p>
13.	State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith
14.	Wherever necessary the 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 the forest areas.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith
15.	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 to comply with the condition and submitted an undertaking, which is enclosed herewith.
16.	As recommended by the DFOs concerned, the User Agency shall erect two permanent boards at the entrance and exit points of the forest area proposed for diversion about status of the land.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
17.	The layout plan for 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.
18.	The user agency shall use existing paths and roads for laying of pipeline and no new paths/roads are to be formed.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
19.	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.
20.	The total forest area utilized for the project shall not exceed 4.115 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 to comply with the condition and submitted an undertaking, which is enclosed herewith
21.	The User Agency should make provisions for supply of water to wildlife at designated places / along the route passing through forest areas, in consultation with	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith

	Telangana Forest Department. Such provision should be made at intervals of 2 km each. The Chief Wildlife Warden is advised to develop a master plan to use the proposed pipelines for supply of water to the wildlife. Precautions have to be taken to avoid concerned of livestock at the water point.	
22.	The Progress of the Compensatory afforestation as mentioned by the DFO, Armoor Division Sl.No.12(V)(a) (b) of part-II i.e., 22 ha of 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.
23.	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 to comply with the condition and submitted an undertaking, which is enclosed herewith
24.	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.
25.	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.

3. I am to inform that the stage-I clearance has been published by the User Agency in English and Telugu daily newspapers on dt.19.09.2018.

4. I am also to enclose a copy of the letter 5th 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 PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

Copy to:

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