

24/02/2020
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GOVERNMENT OF TELANGANA
ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT

Memo No.5535/For.I(1)/2016

Dated:17.02.2020

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: Forest (Conservation) Act - Diversion of forest land to an extent of **4.562 ha (Manuguru 4.160 ha + Paloncha 0.402 ha) under Bhadradri-Kothagudem District** - for laying of Pipe line for **segment 25/3 (Burgampadu)** - for providing safe drinking water under Telangana Drinking Water Supply Project - in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Khammam - Furnishing of compliance report - Reg.

- Ref: 1. From the PCCF (HoFF) (FAC), T.S., Hyd., Lr.No.824/2016/ FCA-1, Dated: 15.12.2016.
2. State Govt. Lr.No.5535/For. I (1)/2016-1, Dt:28.02.2017.
3. From GoI, MoEF & CC, Chennai, F.No.4-TSB068/2017-CHN/0604, dt.17.04.2017.
4. Govt. Memo No.5535/For.I(1)/2016, Dated:01.05.2017.
5. From the PCCF (HoFF), T.S. Hyd. Rc.No.824/2016/FCA-1, Dt:16.11.2019.

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 **4.562 ha (Manuguru 4.160 ha + Paloncha 0.402 ha) under Bhadradri-Kothagudem District**, for laying of Pipe line for **segment 25/3 (Burgampadu)**, for providing safe drinking water under Telangana Drinking Water Supply Project, in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Khammam, 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.
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.	The User Agency has deposited an amount of Rs.30,38,456/- into PD account of FDO, Manuguru vide UTR No.IDIBHI8137423492 17.05.2018 which includes Rs.18,89,000/- towards cost of construction of boundary pillars.

		Like-wise, the User Agency has also deposited an amount of Rs.54,000/- into PD account of FDO, Paloncha vide UTR No.IDIBHI8137423492 17.05.2018 towards cost of construction of boundary pillars.
3.	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 4.562 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.1,06,69,626/-lakhs, which includes an amount of Rs.66,56,900/- lakhs towards CA scheme , into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, with UTR No.IDIBR52018050816222250 dated 08.05.2018 against the project proposal No.FP/TG/WATER/17589/2016 and same is reflected online in the Ministry's portal.
4.	The State Government has proposed 4.562 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 4.562 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.
5.	Identified CA land 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.
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 for raising compensatory Afforestation has been transferred and mutated in favour of the State Forest Dept.
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 Forest act, 1927 or under the relevant	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.

	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 4.562 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.1,06,69,626/- , which includes an amount of Rs.40,12,726/- towards payment of NPV for the forest area proposed for diversion, into the account of Telangana State CAMPA, New Delhi, with UTR No.IDIBR52018050816222250 dated 08.05.2018 against the project proposal No.FP/TG/WATER/17589/ 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.
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 (other than cost of construction of boundary pillars, extraction of tree growth) only by generating challan through the Ministry's website, as explained above.</u>	The User agency has generated a challan through the Ministry's website for an amount of Rs.1,06,69,626/- towards NPV and CA into the account of Telangana State CAMPA, New Delhi, Lodhi Complex, with UTR No.IDIBR52018050816222250 dated 08.05.2018 against the project proposal No.FP/TG/WATER/17589/2016 and same is reflected online in the Ministry's portal.
11.	Tree standing in the diverted area shall be felled strictly as per requirement with prior permission of the Forest Divisional Officer, Manuguru.	The User Agency has deposited an amount of Rs.30,38,456/- into PD account of FDO, Manugur vide UTR No.IDIBHI8137423492 17.05.2018 which includes Rs.6,49,456/- towards extraction of tree growth in the forest area to be diverted.
12.	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.
13.	The State Forest Department shall translocate the trees, wherever feasible instead of felling at the cost of User agency.	The User Agency has deposited an amount of Rs.30,38,456/- into PD account of FDO, Manugur vide UTR No.IDIBHI8137423492 17.05.2018 which includes Rs.5,00,000/- towards translocation of trees.
14.	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.
15.	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.

16.	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.
17.	The total forest area utilized for the project shall not exceed 4.562 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.
18.	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.
19.	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.
20.	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 2780.67 Ha forest land and 187.32 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.
21.	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.

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

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 Special Chief Secretary to Government

Copy to:

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

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