

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

Letter No.2087/For.I(1)/2016

Dated:31.08.2019

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

15322

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.)



Sub:- FCA - Diversion of **3.964 ha** of forest land in **Kothagudem, Paloncha and Sathupally** forest divisions under Kothagudem and Khammam Districts, for laying of Pipe Line of Construction in **Segment-25/13 (Ramachandraram)** for providing safe drinking water under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Khammam - Compliance Report - Reg.

- Ref:- 1) From the PCCF (HoFF), T.S., Hyd. Ref.No.6495/2016/FCA-1
Dated: 06-05-2017.
2) Govt. Lr.No.2087/For.I (1)/2017-1, Dt:07.06.2017.
3) GoI, MoEF & CC, Chennai, F.No. 4-TSB089/2017-CHN/1084,
Dt.12.07.2017.
4) Govt. Memo No.2087/For.I(1)/2017, Dated:24.07.2017.
5) From the PCCF (HoFF), T.S. Hyd. Rc.No.26495/2016/FCA-1,
Dt:24.07.2019.

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 and extent of **3.964 ha** of forest land in **Kothagudem, Paloncha and Sathupally** forest divisions under Kothagudem and Khammam Districts, for laying of Pipe Line of Construction in **Segment-25/13 (Ramachandraram)** 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. I am to inform that the Government of India vide letter dt.12.07.2017 has conveyed Central Government **in-principle (Stage.I) approval** under Section 2 of Forest (Conservation) Act, 1980, for diversion of forest land to an extent of **3.964 ha in the following forest divisions**, for laying of Pipe Line and Construction of Structures in **Segment-25/13 (Ramachandraram)** for providing safe drinking water under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Khammam.

Sl. No.	Name of the forest division	Name of the DFO	Pipelines (in ha)	Structures (in ha)	Total Area (in ha)
1	2	3	4	5	6
1.	Kothagudem	Kothagudem	1.164	0.000	1.164
2.	Paloncha		0.333	0.283	0.616
3.	Sathupally	Khammam	2.184	0.000	2.184
		TOTAL:	3.681	0.283	3.964

(P.T.O)

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3. I am further to inform that the in-principle (*Stage.I*) approval have been communicated to all the concerned officers with instructions to submit condition-wise compliance report in the matter, vide letter dt.31.07.2017.

4. I am also to inform that the District Forest Officers, Bhadradi-Kothagudem & Khammam has obtain compliance of conditions from the User Agency and submitted the condition-wise compliance report together with its enclosures through respective Conservators of Forests i.e., Kothagudem and Khammam respectively, which is received in this office through vide letters dt.22.05.2019 & 29.06.2019.

5. The condition wise compliance report is reproduced with remarks as follows:-

Sl.No.	Description of the Condition	Compliance															
<u>1</u>	<u>2</u>	<u>3</u>															
(i)	Legal status of the diverted forest land shall remain unchanged.	The User Agency has submitted an undertaking to comply that the Legal status shall remain unchanged (Annexure-I).															
(ii)	The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency.	<p>The User Agency has deposited following amounts in the respective PDs accounts of respective FDOs on 17.05.2018 towards demarcation of the proposed forest area by erecting cement concrete pillars:</p> <table> <tr> <th>Sl. No</th><th>Name of the Division</th><th>Amount (in Rs.</th></tr> <tr> <td>1.</td><td>Kothagudem</td><td>4,30,900/-</td></tr> <tr> <td>2.</td><td>Paloncha</td><td>6,73,000/-</td></tr> <tr> <td>3.</td><td>Sathupally</td><td>9,54,000/-</td></tr> <tr> <td></td><td></td><td>20,57,900/-</td></tr> </table> <p>User Agency has also deposited an amount of Rs.1,50,000/- into FDO, Kothagudem account towards erection of boards at entry & exit points.</p>	Sl. No	Name of the Division	Amount (in Rs.	1.	Kothagudem	4,30,900/-	2.	Paloncha	6,73,000/-	3.	Sathupally	9,54,000/-			20,57,900/-
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(iii)	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 4.01 Ha out of the 187.677 ha of non-forest land identified in Sy. No. 169 of Peddamunagala and in Sy.No.139 ha & 147 of Thimmapuram in Chandampet Mandal of Nalgonda District at the cost of user agency.	<p>The User Agency has deposited an amount of Rs.58,77,889/- (part of Rs.88,49,941/-) which includes following amount towards CA, into the account of TELANGANA STATE CAMPA, New Delhi Lodhi Complex, with UTR No. IDBIH18127405057 dated 07.05.2018, against the project FP/TG/WATER/18948/2016. The division-wise details are as follows:</p> <table> <tr> <th>Sl. No</th><th>Name of the Division</th><th>Amount (in Rs.</th></tr> <tr> <td>1.</td><td>Kothagudem</td><td>17,19,425/-</td></tr> <tr> <td>2.</td><td>Paloncha</td><td>9,10,000/-</td></tr> <tr> <td>3.</td><td>Sathupally</td><td>32,48,464/-</td></tr> <tr> <td></td><td></td><td>58,77,889/-</td></tr> </table> <p>Same is reflected online at Ministry's portal.</p>	Sl. No	Name of the Division	Amount (in Rs.	1.	Kothagudem	17,19,425/-	2.	Paloncha	9,10,000/-	3.	Sathupally	32,48,464/-			58,77,889/-
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(iv)	The State Government has proposed 4.01 Ha of non-forest land for compensatory afforestation under the subject proposal as part of 187.677 ha of	The non-forest land to an extent of 3.964 ha has been apportioned from the total non-forest land i.e., 187.677 ha identified for CA, under the jurisdiction of the FDO, WLM															

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	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 Bhageeratha 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, CA scheme, soil suitability certificate etc shall be uploaded in the Ministry's online portal against the subject proposal.	Division, Nagarjunasagar. Further, the relevant details have been uploaded in the Ministry's online portal against the project FP/TG/ WATER/18948/2016 .
(v)	Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government.	The User Agency has submitted an undertaking that the identified CA Land and approved CA Scheme will not be changed without the prior approval of the Central Government. Same is complied with State Forest Department.
(vi)	Non-forest land identified for raising compensatory afforestation shall be transferred and mutated in favor 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 infavor 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 & 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 3.964 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 of Rs.29,72,052/- (part of Rs.88,49,941/-) into the account of TELANGANA STATE CAMPA, New Delhi Lodhi Complex, with UTR No. IDBIH18127405057 dated 07.05.2018, which includes following amount towards Net Present Value (NPV), against the project FP/TG/WATER/

		<p>details are as follows:</p> <table border="1"> <thead> <tr> <th>Sl. No</th><th>Name of the Division</th><th>Amount (in Rs.)</th></tr> </thead> <tbody> <tr> <td>1.</td><td>Kothagudem</td><td>7,23,700/-</td></tr> <tr> <td>2.</td><td>Paloncha</td><td>4,94,600/-</td></tr> <tr> <td>3.</td><td>Sathupally</td><td>17,53,752/-</td></tr> <tr> <td></td><td></td><td>29,72,052/-</td></tr> </tbody> </table> <p>Same is reflected online at Ministry's portal.</p>	Sl. No	Name of the Division	Amount (in Rs.)	1.	Kothagudem	7,23,700/-	2.	Paloncha	4,94,600/-	3.	Sathupally	17,53,752/-			29,72,052/-
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(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 charged by the State Government from User Agency.	The User Agency has submitted an undertaking for payment to additional amount of the Net Present Value (NPV) payable if any as per 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 including levies towards mitigation measures for wildlife conservation etc., shall be deposited in the respective bank account of 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.88,49,941/- into the account of TELANGANA STATE CAMPA, New Delhi with UTR No. IDBIH18127 405057 dated 07.05.2018 towards CA and Net Present Value under this project, by generating a challan through the Ministry's website against the project FP/TG/WATER/ 18948/2016 Same is reflected at Ministry's portal.															
(xi)	State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.	The User Agency has submitted an undertaking that the translocation of the trees will be carried out wherever feasible at the cost of User Agency.															
(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 submitted an undertaking that muck generated in the earth cutting if any, will be disposed off at designated dumping sites.															
(xiii)	Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Forest Divisional Officer concerned.	<p>The User Agency has submitted an undertaking to carry out Tree felling in the proposed forest area wherever necessary, with the prior permission of the FDO concerned.</p> <p>The User Agency has deposited following amounts into CAPD accounts of FDO's towards extraction of tree growth, Kothagudem - Rs.2,04,700/- Paloncha-O, Sathupally-Rs.5,29,400/-.</p>															
(xiv)	Wherever necessary, user agency shall provide free supply of water for forest nurseries and field staff quarters and range offices,	The User Agency has submitted an undertaking to supply free of water for Forest Nurseries and field staff quarters and Range Offices, besides															

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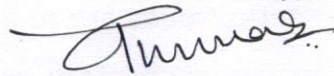
	besides providing outlets with small troughs during summer for wild animals in forest areas.	providing outlets with small troughs during summer for wild animals in forest areas.
(xv)	The User Agency should make provisions for supply to water to wildlife at designated places/along the route passing through 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 submitted an undertaking to make provisions for supply to water to wildlife at designated places/along the route passing through forest area, in consultation with Telangana Forest Department.
(xvi)	The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government.	The User Agency has submitted undertaking stating that the Forest Land proposed to be diverted under no circumstances be transferred to any other agency department or person without prior approval of the Govt.,
(xvii)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has submitted undertaking stating that the layout plan of the proposal will not be changed without the prior approval of the Central Govt.,
(xviii)	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 submitted undertaking in this regard.
(xix)	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 submitted an undertaking to ensure that the Minimal disturbance 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 and same.
(xx)	The total forest area utilized for the project shall not exceed 3.964 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 submitted an undertaking that the Forest area utilized for the project will not exceed 3.964 Ha. Further, the forest area diverted will not be used for any purpose other than those shown in the diversion proposal.
(xxi)	User agency and the state government shall ensure compliance to provisions of the all Acts, Rules, Regulations and guidelines, for the time being in force, as applicable to the project.	The User Agency has submitted an undertaking to comply the provisions of all Acts, Rules, Regulations and guidelines issued from time to time.
(xxii)	The Progress of the Compensatory Afforestation as mentioned by the DFO Khammam Division in Sl. No 12 (v) (a) & (b) of part II i.e. 8.54 Ha of forest land and 432.21 Ha of non-forest land, DFO,	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

	part II i.e. 34.31 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.	uploading of the same in web portal.
(xxiii)	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 submitted an undertaking that they should not disturb flora and fauna during execution of the project or otherwise in the area.
(xxiv)	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 submitted that in event of failure to comply with any of the above conditions, the user agency will be liable for penal action as decided by the Addl. PCCF (Central), Regional Office, Chennai.

6. I am to inform that the stage-I clearance has been published by the User Agency in English and Telugu daily newspapers on 19.12.2018.

7. 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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