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

Letter No.5304/For.I(1)/2016

Dated:26.10.2019

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:- Forest (C) Act – Diversion of forest land to an extent of **4.519 ha** in erstwhile Kothagudem Division and presently Kothagudem **(0.049 ha) and Yellandu (4.470 ha)** forest divisions under Bhadradri-Kothagudem District, for laying of Pipeline and Construction of structures in **Segment-25/15 (9th Mail Thanda Gutta)**, 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) (FAC), T.S., Hyd., Lr.No.7342/ 2016/ FCA-1, Dated: 24.11.2016.
2. State Govt. Lr.No.5304/For. I (1)/2016-1, Dt:06.01.2017.
3. From GoI, MoEF & CC, Chennai, F.No.4-TSB060/2017-CHN/0252, dt.17.02.2017.
4. Govt. Memo No.5304/For.I(1)/2016, Dated:28.02.2017.
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 4.519 ha in erstwhile Kothagudem Division and presently Kothagudem (0.049 ha) and Yellandu **(4.470 ha) and Yellandu (4.470 ha)** of forest divisions under Bhadradri-Kothagudem District, for laying of Pipeline and construction of structures in segment-25/15 (9th Mail Thanda Gutta) for providing safe drinking water to Yellandu Constituency of erstwhile Khammam District 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
(i)	Legal status of the diverted forest land shall remain unchanged.	The User Agency has submitted undertaking that, the condition will be complied with. An undertaking is submitted by the UA. 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.	The User Agency has deposited an amount of Rs.5,60,000/- + Rs.9,32,400 towards cost construction of 4 feet height concrete pillars 56 no's and 6"x6"x4' concrete pillars 1332 no's and Rs.1,72,500/- towards extraction charges(Rs.16,64,900/- with UTR No. IDIBH18186424567 Dt: 05-07-2018), into the account of Forest Divisional Officer, Yellandu. A Copy of the payment. Annexure-II.
(iii)	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 4.519 ha (4.470 ha (Yellandu division) + 0.049 ha (Kothagudem division))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.	The User Agency has deposited an amount of Rs.71,54,200/- (Deposited amount of Rs.1,00,54,374/- (Rs.99,52,200/- (Yellandu division) + Rs. 1,02,174/- (Kothagudem division)) towards CA Scheme, into the account of TELANGANA STATE CAMPA, New Delhi Lodhi Complex, with UTR No. IDIBR52018070616550589 Dt: 06-07-2018, against the project FP/TG/WATER/19331/2016. A Copy of the payment is enclosed as Annexure-III. Same is reflected online.
(iv)	The State Government has proposed 4.519 ha (4.470 ha (Yellandu division) + 0.049 ha (Kothagudem division)) 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 Bhageeratha project at 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.	The non-forest land to an extent of 4.519 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 Division, Nagarjunasagar. Further, the relevant details have been uploaded in the Ministry's online portal against the project FP/TG/WATER/ 19110/2016.
(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.
(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 CA has been transferred and mutated in favour of the State Forest Department.
(vii)	Non-forest land which is transferred and mutated in favor of the State Forest Department for the purpose	The non-forest CA land transferred & mutated in favour of State Forest Department will be declared as PF/ RF

	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;	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 4.519 ha (4.470 ha (Yellandu division) + 0.049 ha (Kothagudem division)) 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 UA has deposited an amount of Rs.27,98,000/- (Demand amount Rs.1,00,54,374/- [Rs.99,52,200/- (Yellandu division) + Rs.1,02,174/- (Kothagudem division)] towards NPV, into the account of TELANGANA STATE CAMPA, New Delhi Lodhi Complex, with UTR No. IDIBR52018070616550589 dated 06.07.2018, against the project FP/TG/WATER/19110/2016 . A Copy of the payment is enclosed as Annexure-III. Same is reflected online.
(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 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. Annexure-VII.
(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 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 an amount of Rs.99,52,200/- [(Rs.1,00,54,374/- (Rs.99,52,200/- (Yellandu division) + Rs.1,02,174/- (Kothagudem division))] towards CA and NPV under this project including levies towards mitigation measures for the forest conservation etc and deposited the same into the account of TELANGANA STATE CAMPA, New Delhi Lodhi Complex, with UTR No. IDIBR52018070616550589 dt.06-07-2018, against the project FP/TG/WATER/19110/2016 . A Copy of the payment is enclosed as Annexure-III. Same is reflected online.
(xi)	Trees standing in the diverted area shall be felled strictly as per requirement with prior permission of the Divisional Forest Officers Concerned.	The User Agency has submitted undertaking that standing trees in the diverted area will be felled strictly as per requirement with prior permission of the DFO. Annexure-VIII.
(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	The User Agency has submitted an undertaking that muck generated in the earth cutting if any, will be disposed off at designated dumping

	disposed off on the forest areas.	sites and in no case the muck/debris will be disposed off on the forest areas. Annexure-IX.
(xiii)	The State Forest Department shall translocation the trees, wherever feasible instead of felling 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. Annexure-X.
(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 UA has submitted undertaking stating that the Forest Land proposed to be diverted under no circumstances will be transferred to any other agency department or person without prior approval of the Govt., Annexure-XI.
(xv)	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. Annexure-XII.
(xvi)	Details of list of trees enumerated in the table designated for the same in part II of the online FC application may be uploaded and confirmation in this regard shall be reported along with Compliance report.	The details of list of trees enumerated in the table designated for the same in part II of the online FC application is uploaded against the project proposal.
(xvii)	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, Annexure-XIV.
(xviii)	The total forest area utilized for the project shall not exceed 4.519 ha (4.470 ha (Yellandu division) + 0.049 ha (Kothagudem division)) 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. Annexure-XV.
(xix)	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. Annexure-XVI.
(xx)	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. Annexure-XVII.
(xxi)	The Progress of the Compensatory Afforestation as mentioned by the DFO Kothagudem Division in Sl. No 12 (v) (a) of part II i.e 34.31 ha forest land shall be monitored by	The progress of the Compensatory Afforestation will be monitored by the concerned field officer(s) and copy of the monitoring report will be forwarded to the Regional Office,

	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.	MoEF & CC, Chennai through Nodal Officer for FCA, from time to time besides uploading of the same in web portal.
(xxii)	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 Add 00itional PCCF (Central), Regional Office, Chennai. Annexure-XVIII.

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

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 Special Chief Secretary to Government

Copy to:

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