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

Memo No.5309/For.I(1)/2016

Dated:28.10.2019

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 3.308 ha in erstwhile Nizamabad Division and presently Banswada forest division under Kamareddy District - for laying of Pipe Line and construction of structures in Segment-12/2 (Jukkal) for providing safe drinking water to Nizamabad District under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Nirmal - Compliance report - Reg.

FCA

- Ref: 1.From the PCCF (HoFF) (FAC), T.S., Hyd., Lr.No.5029/2016/FCA-1, Dated: 29.11.2016.
 2.State Govt. Lr.No.5309/For. I (1)/2016-1, Dt:17.01.2017.
 3.From GoI, MoEF & CC, Chennai, F.No.4-TSB063/2017-CHN/2056, dt.17.02.2017.
 4.Govt. Memo No.5309/For.I(1)/2016, Dated:28.02.2017.
 5.From the PCCF (HoFF), T.S. Hyd. Rc.No.5029/2016/FCA-1, Dt:07.08.2019.

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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 3.308 ha in erstwhile Nizamabad Division and presently Banswada forest division under Kamareddy District, for laying of Pipe Line and construction of structures in Segment-12/2 (Jukkal) for providing safe drinking water to Nizamabad District 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:-

4/11/19

| Sl. No. | Description of the Condition | Compliance |
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| 1 | 2 | 3 |
| (i) | The legal status of the forest land shall remain unchanged; | The User Agency has submitted an Undertaking that the legal status of the forest land remain unchanged. |

(PTO)

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| (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.19,10,000/- + Rs.14,56,000/- (part of Rs.34,66,000/- with UTR No. IDIBR52018022815816925 dated 28.02.2018) towards the cost of construction of boundary pillars into FDO, Banswada CA PD account. |
| (iii) | The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 4.972 ha out of the 187.677 ha of non-forest land identified in Sy.No.169 of Pedda-munagala 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.48,27,000/- (part of Rs. 68,97,800/-) towards CA with UTR No. IDIBR52018022015774332 dated 20.02.2018) into the account of TELANGANA STATE Ad-hoc CAMPA, New Delhi against the project proposal No. FP/TG/WATER/18537/2016 and the same is reflected online. |
| (iv) | <p>The State Government has proposed 3.308 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 Bageeratha Project at WLM division, Nagarjunasagar shall be apportioned project wise including the CA area identified for the present</p> <p>proposal and all the relevant details like DGPS coordinates 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 subject proposal.</p> | <p>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 3.308 ha is demarcated with DGPS coordinates. The co-ordinates, map, CA scheme and soil suitability certificate etc is uploaded in the</p> <p>Ministry's web portal against the subject proposal.</p> |
| (v) | The Compensatory afforestation area identified at Nagarjuna Sagar has to be apportioned project wise and the details have to be provided by the State Government before issue of final clearance. | The Compensatory Afforestation area has been apportioned project wise (for each segment) and uploaded online and also furnished to Government. |
| (vi) | Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government. | The User Agency has agreed and submitted under taking the identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government. |
| (vii) | 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. |

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| (viii) | 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 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. |
| (ix) | The State Government shall charge the Net Present Value of the diverted forest land measuring 4.698 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.20,70,800/- (part of Rs. 68,97,800/-) towards NPV with UTR No. IDIBR52018022015774332 dated 20.02.2018) into the account of TELANGANA STATE Ad-hoc CAMPA, New Delhi against the project proposal No. FP/TG/WATER/18537/2016 and the same is reflected online. |
| (x) | 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 agreed and submitted undertaking for 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 will be deposited. |
| (xi) | 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.48,27,000/- + Rs.20,70,800/- -(out of Deposited amount of Rs.68,97,800/-) towards CA and Net Present Value into the account of TELANGANA STATE Ad-hoc CAMPA, New Delhi against the project proposal No. FP/TG/WATER/18537/2016 and the same is reflected online. |
| (xii) | Trees 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 for compliance of condition. Further, User agency has deposited on amount of Rs.1,00,000/- towards extraction of tree growth which is part of Rs.34,66,000/- deposited into FDO, Banswada CA PD account and other details furnished against C.No.(ii). |

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| (xiii) | 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. |
| (xiv) | 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. |
| (xv) | The forest land proposed for diversion shall under no circumstances be transferred 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. |
| (xvi) | The layout plan of the proposal shall not be changed without the prior approval of the Central Government. | The User Agency has agreed and submitted under taking to the Layout plan of the proposal shall not be changed without prior approval of the central Government. |
| (xvii) | 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 the compliance report. | Uploaded online |
| (xviii) | 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; and as for as possible labour camps will be created outside the forest area. Further, the labourers & staff engaged in execution of work will not destruct nearby forest flora & fauna. |
| (xix) | The total forest area utilized for the project shall not exceed 3.308 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 agreed and submitted undertaking that total forest area utilized for the project will not be exceed 3.308 ha and the forest area diverted will not be used for any purpose other than those shown in the diversion proposal. |
| (xx) | 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 agreed and submitted undertaking to ensure compliance to provisions of the all Acts, Rules, Regulations and guidelines, for the time being in force, as applicable to the project. |
| (xxi) | 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 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. |

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| (xxii) | The Progress of the Compensatory Afforestation as mentioned by the DFO in SI No 12 (V) of part II i.e. in forest land 164 ha and non forest land 53.38 ha 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. 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. |
| (xxiii) | 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 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. |

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

Copy to:

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