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

Memo No.1919/For.I(1)/2017

Dated:23.11.2021.

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

To  
Regional Officer(Central),  
Integrated Regional Office, Hyderabad,  
Aranya Bhavan,  
Opposite Reserve Bank of India, Saifabad,  
Hyderabad - 500004(w.e.)

Sir,

Sub:- Forest (Conservation) Act – Diversion of 4.148 ha of forest land in Kothagudem Division - for laying of Pipe Line in Segment-25/6 (5th Incline) for providing safe drinking water to Kothagudem District - under Telangana Drinking Water Supply Project in favour of Superintending Engineer, TDWSP (RWS&S) Circle, Khammam.- Furnishing of Compliance report - Regarding.



Ref:-1)From the PCCF (HoFF), T.S., Hyd. Ref.No.4937/2016/FCA-1, Dt:28/04/2017

2) State Govt. Lr.No.1919/For.I (1)/2017-1, Dt:07.06.2017

3) From GoI, MoEF & CC, Chennai, F.No.4-TSB099/2017-CHN/1116,dt.18.07.2017

4) Govt. Memo No.1919/For.I(1)/2017, Dated:02.08.2017.

5) From the PCCF(HoFF), T.S. Hyd., Rc.No.4937/2016/FCA-1, Dt.27.09.2021.

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Dy.-CF-(MIS)

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I, am to invite your attention to the reference 3<sup>rd</sup> cited and to inform that 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 4.148 ha of forest land in Kothagudem Division for laying of Pipe Line in Segment-25/6 (5th Incline) for providing safe drinking water to Kothagudem 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. I am to further inform that the Principal Chief Conservator of Forests (HoFF), Telangana State, in her letter 5<sup>th</sup> 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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(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	The User Agency has deposited an amount of <b>Rs.22,29,400/-</b> , which is part of Rs.32,29,800/-, into CA PD account of FDO, Kothagudem on 08.07.2019 towards construction of boundary pillars. Erecting 4' high cement concrete pillars duly

	User Agency.	numbered at an interval of 20 meters have been completed.
(iii)	The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over <b>4.148 ha out of the 145.18 ha</b> of non-forest land identified in Sy. No. 100 of Nagilla Village at Madgul Mandal in Amangal Range of Amangal Division at the cost of user agency.	The User agency has deposited an amount of <b>Rs. 37,37,200/-</b> , which is part of the total amount of <b>Rs. 63,33,800/-</b> , deposited towards Compensatory Afforestation, into the Adhoc CAMPA account of Telangana with UTR NO. IDBIH18186424575, dt. 05.07.2018. The paid status is reflected online and a copy of the payment is enclosed.
(iv)	Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government.	The User Agency has transferred and mutated 71.082 ha of non-forest CA land only identified in Sy. No. 100 of Nagilla Village at Madgul Mandal in Amangal Range of Amangal Division due to various problems in the field and balance CA land is identified in Adilabad District. Till now, 47.643 ha utilized for 11 projects and after utilizing 4.148 ha of non-forest CA land, there will be 19.291 ha and will be tagged to the projects received in order. The User Agency agreed to transfer and mutate the balance CA land identified in Adilabad and also pay the differential CA cost. This land will be tagged to various projects after utilizing 71.082 ha of CA land identified in Nagilla, Amangal.
(v)	The CA area identified at Amangal Division which is apportioned project wise shall be treated as per the CA scheme approved.	The Non-Forest Land identified for Compensatory Afforestation (CA) of 71.082 ha has been apportioned for TDWSP project (Mission Bhageeratha Project) and accordingly the cost of CA is apportioned and the Scheme will be implemented.
(vi)	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 <b>71.082 Ha</b> in favour of the State Forest Dept. Copies of the mutation certificate and its enclosures are enclosed herewith. The User Agency agreed to transfer and mutate the balance CA land identified in Adilabad and also pay the differential CA cost.
(vii)	Non-forest land which is transferred and mutated in favor 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	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.

	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;	
(viii)	The State Government shall charge the Net Present Value of the diverted forest land measuring <b>4.148 ha</b> 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 <b>Rs.63,33,800/-</b> which includes an amount of <b>Rs.25,96,600/-towards payment of NPV</b> , into the Adhoc CAMPA account of Telangana State, with UTR No. IDIBH18186424575 dated 05.07.2018, against the project FP/TG/WATER/18495/2016, and same is reflected online in the Ministry's portal and enclosed.
(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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(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. <b><u>The User Agency shall compulsorily deposit the CA and other levies only by generating challan through the Ministry's website.</u></b>	The User agency has generated a challan through the Ministry's website for the subject project and deposited an amount of <b>Rs.63,33,800/- towards NPV and CA</b> into the Adhoc CAMPA account of Telangana State with UTR No. IDIBH18186424575 dated 05.07.2018, against the project <b>FP/TG/WATER/18495/2016</b> , and same is reflected online in the Ministry's portal. A Copy of the payment details is enclosed.
(xi)	State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.	The instructions will be complied
(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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xiii)	Tree felling in the proposed forest area shall be carried out	The User Agency has submitted an undertaking to carry out tree felling in the proposed forest

	wherever necessary, with the prior permission of the Divisional Forest Officer concerned.	area and shall be carried out wherever necessary, with the prior permission of the Forest Divisional Officer. User Agency has deposited an amount of Rs. 5,70,400/- which is part of Rs.32,29,800/-into CA PD accounts of Kothagudem Forest Division towards extraction of tree growth.
(xiv)	Wherever necessary, 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 forest areas	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xv)	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 Telangana Forest Department. Such provision should be made at intervals of 2km each. Precautions have to be taken to avoid concentration of livestock at the water point.	The User Agency has agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(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 agreed to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xvii)	The FDO, Kothagudem Division in Part-II of the proposal it has reported that the proposed project area is located at a distance about 1.5 Km away from the boundary of the Kinnerasani Wildlife Sanctuary. Prior approval of the NBWL shall be obtained, if the proposed forest area is falls in Kinnerasani Wildlife Sanctuary or its Eco-Sensitive Zone (ESZ)	<p>It is submitted that laying of pipe line is falling outside the Kinnerasani WLS, butpassing through the notified Eco-sensitive zone of Kinnerasani WLS (S.O. 2859 [01.09.2017])for length of about 7.5 km.</p> <p>Further, it is submitted that as per the guideline of GoI, MoEF&amp; CC, (WL division) in F.No.6-10/2011/WL, Dt.19.12.2012 (Para 3.5.1) and reiterated in F.No.6-60/2020WL Part(1),Dt.16.07.2020 (Para 3),wherein it is mentioned that:</p> <p><b>Para 3.5.1 of guidelines Dt.19.12.2012.</b></p> <p>In pursuance to the order of Hon'ble Supreme Court dated 4<sup>th</sup> December 2006in Writ Petition (Civil) No. 460/2004, in case any project requiring Environmental Clearance, is located within the eco-sensitive zone around a Wildlife Sanctuary or National Park or in absence of delineation of such a zone, within a distance of 10 km from its boundaries, the User agency/Project Proponent is required to obtain recommendations of the Standing Committee of NBWL.</p>

		<p><b>Para 3 of guidelines Dt.16.07.2020</b></p> <p>a. Proposals involving project/activity located within the notified ESZ (not being draft notification) and listed in the schedule of the EIA notification 2006 and requiring Environment clearance, prior clearance from Standing committee of the National Board for Wildlife shall be obtained.</p> <p>b. Proposals involving project/activity located within 10 km of National park/Wildlife Sanctuary wherein ESZ has not been finally notified and listed in the schedule of the EIA notification 2006 and requiring Environment clearance, prior clearance from Standing committee of the National Board for Wildlife shall be obtained.</p> <p>As per the above guidelines the present project doesn't require Environment Clearance, hence clearance under W(P)Act,1972 from Standing Committee of NBWL is not required.</p>
(xviii)	The layout plan of 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.
(xix)	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.
(xx)	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.
(xxi)	The total forest area utilized for the project shall not exceed <b>4.148 ha</b> 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 to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xxii)	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 to comply with the condition and submitted an undertaking, which is enclosed herewith.
(xxiii)	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 of forest land shall be monitored by the Circle Head	The instructions will be complied by the field officers and the monitoring report submitted.

	and a copy of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal.	
(xxiv)	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, which is enclosed herewith.
(xxv)	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 paper notification and Andhra Jyothi Telangana daily newspaper in Telugu on 21.09.2018.

4. I am to inform that the Government of India vide Ir.dt.18.06.2020, has sought some additional information on the violations and deviations in the diversion of forest land for all the water grid segments taken up under Mission Bhagiratha. Accordingly, the District Forest Officer, Kothagudem has furnished the required additional information and the same is submitted herewith in Annexure-I and II. As per the report of the user agency has completed the work before issue of Stage-II approval and without obtaining working permission after Stage-I approval, between 05.04.2017 and 20.12.2018

5. I am also to enclose a copy of the letter 5<sup>th</sup> 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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