



भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

Regional Office (South Eastern Zone),

1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,

Nungambakkam, Chennai - 600034, Tel. 044-28222041,

e-mail: ro.moefccc@gov.in / roefccc@gmail.com



F.No.4-TSA047/2017-CHN/0874

Date 06th June, 2017

To,

The Principal Secretary to the Government,
Environment, Forests, Science & Technology Department,
Telangana State Secretariat, Hyderabad

Subject: Diversion of **1081.0149 ha** of forest land in erstwhile forest divisions viz., Kagaznagar, Bellampally and Mancherial for construction of Barrage at Tumidihetti village and main canal for Dr. B.R.Ambedkar Pranahitha Project in favour of Chief Engineer (projects), Adilabad + additional forest area of **54.9989 ha** in Kagaznagar forest division for construction of Barrage at Tumidihetti Village and main canal for Dr. BR Ambedkar Pranahitha project in favour of Chief Engineer (projects), Adilabad- **Total forest area proposed for diversion is 1136.0138 (1081.0149 + 54.9989 ha) - reg**

Sir,

Please refer to the State Government's letter No.5268/For.I(1)/2016-1 dated 28.12.2016 wherein forwarded the proposal for diversion of 1081.0149 ha and vide letter No. 5268/For.I(1)/2016 dated 20.04.2017 wherein forwarded additional 54.9989 ha proposal for diversion and online proposal No FP/TG/IRRIG/20502/2016 seeking prior approval of the Central Government for diversion of forest land in accordance with Section '2' of Forest (Conservation) Act, 1980 for the above mentioned project.

The Regional Empowered Committee (REC) in its 18th meeting held on 17.05.2017 has considered the subject proposal and recommended the proposal subject to the following conditions:-

- The committee has recommended for diversion of the forest areas not falling in protected area / Wildlife Corridors for approval.
- About five numbers of cut and cover eco crossing / bridges of 100 m width at Bejjur from km 31 to 32 shall be constructed by the User agency.
- Penal CA over an area equivalent to 63.2195 ha shall be raised by the Department in degraded forest land at the cost of user agency.
- A part of NPV component for this project shall be utilized for forest protection and management works including fire protection etc in this area only.

- e. As huge number of trees shall be felled for the implementing the project in forest areas proposed for diversion, if the number of plants being planted under CA in non-forest lands are lesser than the number of trees being felled in the forest areas, the balance number of plants shall be raised in degraded forest land by the Department from the amount realized from the user agency.

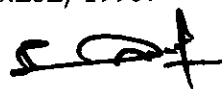
As recommended by the Regional Empowered Committee, I am hereby directed to convey Central Government's approval in-principle (*Stage-I*) under Section '2' of Forest (Conservation) Act, 1980 for diversion of **34.4167 ha** in Mancherial Forest Division and **474.2815 ha** (*excluding 5.303 ha in Compt No 407 of Kunchavelly RF*) in Bellampally Division in favour of Chief Engineer, (Project), Adilabad, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged.
- (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.
- (iii) The Compensatory Afforestation (CA) for the whole project shall be raised and maintained by the State Forest Department over identified non-forest land as mentioned below at the cost of user agency;

- a. In Adilabad Division - 92.3934 ha in Sy No 65 of Kottur Village of Talamadugu (M), 47.6833 ha in Sy No. 90 of Lingi (V), Talamadugu (M), 94.0583 ha in Sy No 51 of Linguda (V), Tamsi (M), 21.4342 ha in Sy No. 265 & 238 of Kottur (V), Jainath (M), 16.9755 ha in Sy No. 3 of Yapalguda (V), Adilabad (M), 11.0986 ha in 44 of Hatghad (V), Jainath (M), 3.6686 ha in Sy No 8 of Kachakanti (V), Adilabad (M), 5.4967 ha in Sy No 47 of Koritikal (V), Neradigonda (M), 18.2315 ha in Sy No 62 of Mannur (V), Gudihatnoor (M), 25.1765 ha in Sy No. 206 of Bazar Hatnoor (V) & (M), 7.5638 ha in Sy No. 35 of Gubba (V), Ichoda (M), 6.6787 ha in Sy No. 70 of Karatwada (V), Boath (M),
- b. In Bellampally Division- 35.6734 ha in Sy No 13/1 of Dondala (V), Tiryani (M), 79.1438 ha in Sy No. 1-Aug of Manikyapur (V), Tiryani (M), 141.4591 ha in Sy No.37/1 in Moindagudipet (V), Tiryani (M), 59.91 ha in Sy No. 322 of Pangidimadara (V), Tityani (M), 7.7473 ha in Sy No. 17 of Madaram (V), Tandur (M), 32.9958 ha (2 sites spoil banks) of Kushnapally (V), Nennel(M),
- c. In Kagaznagar Division- 70.9073 ha in Sy No. 125/1& 125/2 of Loadpally (V), Bejjur (M), 174.223 ha in Sy No 81 & 85 in Bhupalapatnam (V), Sirpur (M).



- d. In Mancherial Division: 65.669 ha in Sy No. 139 of Venkatapur (V), Kasipet (M).
- e. In Nirmal Division: 5.7225 ha in Sy No. 171 of Arepally (V), Mamda (M), 22.3675 ha in 132/1 & 130 of Bhosi (V), Tanoor (M), 3.4915 ha in Sy No 191 of Mahalingi (V), Tanoor (M), 31.2722 ha in Sy No. 55 of Gaidipally (V), Mamda (M), 5.2352 ha in Sy No. 143 of Kupti (V), Sarangapur (M), 23.2571 ha in Sy No. 441/1 of Kusli (V), Dilawarpur (M).
- (iv) Penal Compensatory Afforestation (PCA) for the whole project shall be carried out by the State Forest Department over 63.2195 ha of degraded forest area at the cost of the user agency. PCA scheme including 10 years of maintenance along with map and DGPS co-ordinates of the degraded forest area identified for raising PCA shall be furnished along with compliance report.
- (v) Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government.
- (vi) As huge number of trees shall be felled for the implementing the project in forest areas proposed for diversion, if the number of plants being planted under CA in non-forest lands are lesser than the number of trees being felled in the forest areas, the balance number of plants shall be raised in degraded forest land by the Department from the amount realized from the user agency.
- (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;
- (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;
- (ix) The State Government shall charge the Net Present Value of the diverted forest land measuring 508.6982 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.



- (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.
- (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 the Telangana State CAMPA. The User Agency shall compulsorily deposit the CA and other levies only by generating challan through the Ministry's website.
- (xii) A part of NPV component for this project shall be utilized for forest protection and management works including fire protection etc in this area only
- (xiii) The user agency shall take measures to protect flora and fauna in and around the project area.
- (xiv) State Forest Department Authorities shall have free rights to use the project roads, approaches, water courses, facilities of motor launchers, rest houses, water for nursery / forestry works and similar facilities to manage forest and wildlife sanctuary without any hindrances.
- (xv) The project shall maintain flow of water in the downstream course of the canal equal to the normal flow of water existing in pre-dam situation.
- (xvi) Planting of native tree species shall be undertaken on vacant land along the reservoirs and canals.
- (xvii) No tree felling in the area between FRL and FRL 4m levels shall be carried out.
- (xviii) The project proposal should be implemented as per the technical clearance given by the CWC and the provisions / decisions of inter State Agreement and GWT award of 1980;
- (xix) The User agency will ensure that in no case, there should be any submergence of forest land in the State of Maharashtra which will tantamount to violation of Forest (Conservation) Act, 1980 as no land has been diverted for submergence in Maharashtra.



- (xx) The Government of Telangana and the user agency shall ensure that the approved Rehabilitation and Resettlement (R &R) package is implemented in a time bound, transparent and *pari passu* manner.
- (xxi) User agency shall obtain Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;
- (xxii) 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.
- (xxiii) Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Divisional Forest Officer concerned.
- (xxiv) State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.
- (xxv) 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.
- (xxvi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xxvii) 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.
- (xxviii) The total forest area to be utilized for the project shall not exceed 508.6982 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.
- (xxix) 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.
- (xxx) The Government of Telangana and the user agency shall provide all necessary assistance to the Ministry of Environment, Forest & Climate Change including its Regional Office, Chennai to monitor compliance to the aforesaid conditions.



(xxxi) 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.

(xxxii) 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.

After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. Transfer of forest land to User Agency shall not be effected prior to the issue of final approval. This in-principle approval shall be valid for a period of 5 years. In the event of non compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,


(Dr.K.Ganesh Kumar)

Deputy Conservator of Forests (Central)

Copy to:-

1. The Director General of Forests & Special Secretary to Govt. of India, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests, Forests Department, Govt. of Telangana Aranya Bhavan, Saifabad, Hyderabad, PIN- 500 004.
3. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Telangana, Aranya Bhavan, Saifabad, Hyderabad, PIN- 500 004.
4. The Director, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
5. The Chief Engineer (projects), Adilabad-504001
6. Guard file.


(Dr.K.Ganesh Kumar)

Deputy Conservator of Forests (Central)