

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

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F.No.4-TSC071/2017-CHN/0918

Date: 13 June, 2017

To,

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

Subject: Diversion of 6.926 ha of forest land in (WLM) Division, Paloncha in favour of Supdt. Engineer TDWSP (RWS & S) circle, Khammam for construction of structures for segment 25/7 (Banjara) under TDWSP- reg

Sir,

Please refer to the State Government's letter No.366/For.I (1)/2017-2 dated 27.03.2017 and online Proposal No FP/TG/WATER/20311/2016 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 in its meeting held on 06.02.2017 has recommended the project for clearance with the following conditions in addition to the general conditions:

- No tree shall be felled in the proposed forest land for laying pipeline. Felling shall be carried out in the proposed area for construction of structures if any with previous permission from the local DFO.
- State Forest Department shall carry out translocation of the trees wherever feasible at the cost of user agency.
- The user agency shall provide free access to the water for the Forest Department for supply to water holes in wildlife area and to nearby forest nurseries.
- State Government and User Agency shall comply with all the conditions / conservation measures to be recommended by the NBWL, if any.

The Standing committee of NBWL has cleared the subject proposal with the following recommendations vide Ministry's letter No.6-69/2017/WL dated 02.06.2017

- Some villages in the core area of Kawal Tiger Reserve have been identified for voluntary resettlement outside. In cases where villagers have already given their consent for resettlement and the State government has identified alternative sites for such villages. The TDWSCL should also give an undertaking to provide drinking water under Mission Bhagiratha to such villages at the alternative sites.

[Signature]

o/c

DESPATCHED

Date: 13/6/17 R&F(sp)

- (b) The committee observed that the tanks that are located inside the forest away from the road have the potential to cause disturbance to Wildlife both during construction as well as later and recommended that the TDWSCL, in consultation with Chief Wildlife Warden, Telangana forest Department and other forest officials, should make an attempt to find alternative locations for water storage tanks that are slated to be located within the protected Area at distances greater than 100 metres away from an existing road or the forest boundary. The committee understands that about 20 out of 59 such structures require re-examination and relocation. The final acceptance of location of a water storage tank can be left to Chief Wildlife Warden.
- (c) Water storage tanks in forest areas may be covered by vegetation wherever possible. If not possible, they may be painted in a camouflaged colour to blend with the environment. This may be decided with the consultation of the Forest Department.
- (d) TDWSCL should make provisions for supply of water to Wildlife at designated places / along the route passing through forest areas, especially Kawal Tiger Reserve, in consultation with Telangana Forest Department. Such provision should be made at intervals of 2 km each. The Chief Wildlife Warden is advised to develop a master plan to use the proposed pipelines for supply of water to the Wildlife. Precautions have to be taken to avoid concentration of livestock at the water point.
- (e) While laying the pipelines, TDWSCL should execute the work in a timely manner by simultaneously excavating the trenches and laying the pipes so as to minimize the disturbance to wildlife. The working length of the trench should not exceed 500 meters at a time. Low height evergreen shrubs with shallow roots may be planted at both sites to give shelter to small wild creatures.
- (f) It appears that the OHBR (Overhead balancing reservoir) structures are proposed on or near the hillocks inside the PAs to take advantage of the gain in elevation so that water may be supplied to the villages under gravity. But the gain in elevation may also be created artificially by raising the base of OHBR structures and providing supports to the pipes connecting these structures. This way the structures could have been located along the road inside the Pas. This would require a minuscule amount of investment as compared to the total cost of the project. This option may also be explored.

In view of the above observations and recommendations, 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 6.926 ha of forest land in (WLM) Division, Paloncha in favour of Supdt. Engineer TDWSP (RWS & S) circle, Khammam for



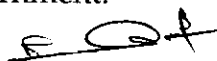
construction of structures for segment 25/7 (Banjara) under TDWSP, subject to the following conditions:-

- (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) shall be raised and maintained by the State Forest Department over 6.926 ha out of the 187.677 ha of non-forest land identified in Sy.No.169 of Peddamunagala and in Sy No. 139 & 147 of Thimmapuram in Chandampet Mandal of Nalgonda District at the cost of user agency.
- (iv) The State Government has proposed 6.926 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 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.
- (v) Identified CA land and approved CA scheme shall 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 favour of the State Forest Department before issue of the Stage-II clearance;
- (vii) 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;

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- (viii) The State Government shall charge the Net Present Value of the diverted forest land measuring 6.926 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.
- (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.
- (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 the Telangana State CAMPA. **The User Agency shall compulsorily deposit the CA and other levies only by generating challan through the Ministry's website.**
- (xi) 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.
- (xii) Tree felling in the proposed forest area shall be carried out wherever necessary, with the prior permission of the Divisional Forest Officer concerned.
- (xiii) State Government and the user agency shall implement mitigation measures and other conditions as recommended by the Standing Committee of NBWL vide Ministry's letter No. 6-69/2017/WL dated 02.06.2017 at the project cost.
- (xiv) State Forest Department shall carry out translocation of the trees wherever feasible at the cost of User Agency.
- (xv) 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.
- (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.
- (xvii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.





- (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.
- (xix) The total forest area utilized for the project shall not exceed 6.926 ha and the forest area diverted shall 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.
- (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.
- (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.

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 noncompliance 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.

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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 Superintending Engineer, TDWSP Circle, Beside BC Boys Hostel, NSP Camp, Ramlayam Street, Khammam, Telangana.
6. Guard file.


(Dr.K.Ganesh Kumar)

Deputy Conservator of Forests (Central)

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