

I/57805/2023

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भारत सरकार/Government of India
पर्यावरण वन और जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
उप कार्यालय (क्षेत्रीय कार्यालय, चेन्नई)/Sub Office (Regional Office, Chennai)
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F.No.4-TSB185/2021-HYD
2023

Date : November,

To,

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

Subject: Diversion of forest land for 4.32 Ha Forest land for improvement of existing road and widening road from Narasapur-G to Gollamada via Anjani Thanda, Thimmapur of Narsapur-G Mandal in Kusli RF and Pyramoor and Narsapur RFs of Nirmal Forest Division in favour of district Panchayath Raj Engineer, Nirmal - reg.

Reference: Online proposal No. FP/TG/ROAD/64751/2020

Madam,

With reference to the subject and reference cited above, it is to state that the subject proposal and the additional information furnished has been examined by this office and it is seen that the SFD/SG has reported that the entire proposed road for diversion has been constructed in violation of FCA and without prior permission from the competent authority between 21.12.2020 & 05.07.2021.

The MoEF&CC vide letter no.FC-11/113/2022-FC dated 08.09.2022 has given clear-cut guidelines regarding the processing of proposals pertaining to violation of FCA, 1980. According to which all proposals of the regularization of encroachment or ex-post facto approval shall be decided by the Ministry at Central Level and not at RO level. Further, the RO of the Ministry shall ensure that appropriate action under sections 3A and 3B of the Forest (Conservation) Act, 1980 are initiated by them in such cases involving violations of the Forest (Conservation) Act, 1980. MoEF&CC further vide Notification No.11/113/2022-FC dated 25/05/2023 delegated the powers to DFO and above ranks in the SFD having jurisdiction over the forest land in respect of which any offence under the FCA, 1980 is committed to file case against such person/ authority/ organization in the competent court of law after obtaining approval of the Central Government.

Keeping in view of the above, it is noticed that the state govt. while reporting violation, has not processed the proposal in the prescribed format as per the guidelines dated 8/9/22. Hence, the proposal is returned with a request to process it as per MoEF&CC guidelines mentioned above.

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Yours faithfully,

(Kailash Bhimrao Bhawar)
Assistant Inspector General of Forests (Central)

Copy to:

1. The SPS to DGF&SS for kind information of DGF&SS, MoEF&CC, New Delhi.
2. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Telangana, Aranya Bhavan, Saifabad, Hyderabad, PIN- 500 004.
3. The Principal Chief Conservator of Forests/The Nodal Officer (FCA), Forests Department, Govt. of Telangana, Aranya Bhavan, Saifabad, Hyderabad, PIN- 500 004.
4. District Panchayat Raj Engineer, Nirmal.
5. Guard file.