

I/163475/2023

**GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT**

<p>From <b>Sri R.M.Dobriyal, IFS.,</b> Principal Chief Conservator of Forests &amp; Head of Forest Force, Telangana State, "AranyaBhavan", Saifabad, <b>Hyderabad.</b></p>	<p>To <b>The Spl. Chief Secretary to Government,</b> Forests Department, Telangana State, <b>Hyderabad.</b></p>
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**Ref.No. FC4/FC29/3/2022 Dated: 06/07/2023.**

**Madam,**

**Sub:** TSFD - F(C) Act, 1980 - Regularization of 330.33 ha (330.1826 Ha as per DGPS survey) of forest land in Upperlakesaram Forest Block in Manthani Range of Peddapalli Division for Open Cast Mining Operations and other activities of SCCL in Peddapalli District in favour of M/s Singareni Collieries Company Limited - **Additional Information Sought by Gol, MoEF& CC, New Delhi** - Information Furnished - Regarding.

**Ref:**

1. PCCF's Rc.No.30176/2009/FCA-1/TS, Dt:07.09.2015 and letters issued till that time and later.
2. General Manager, SCCL, Ramagundem Area-III, Peddapalli district Ref.No.RG3/EST/FL/104-F/239,Dt: 18.10.2019.
3. PCCF Rc.No.17918/2019/FCA-1/PS, Dt: 07.11.2019.
4. General Manager, SCCL, Ramagundem Area-III, Peddapalli District Ref.No.RG3/EST/FL/104-F/270,Dt: 14.12.2019.
5. PCCF Rc.No.17918/2019/FCA-1/PS, Dt: 07.01.2020.
6. General Manager, SCCL, Ramagundem Area-III, Peddapalli District Ref.No.RG3/EST/FL/104-F/123,Dt: 09.07.2020.
7. PCCF Rc.No.17918/2019/FCA-1/PS, Dt: 20.08.2020.
8. CCF/CF, Karimnagar Rc.No. 56/2019/M2, Dt. 12.02.2021.
9. PCCF Rc.No.17918/2019/FCA-4, Dt: 12.03.2021.
- 10.State govt letter no.1190/For.I(1)/2021 Dt. 03.05.2021.
- 11.Gol, MoEF& CC, New Delhi F.No.8-16/2021-FC Dt.23.07.2021 (received through mail on dt.28.07.2021.)
- 12.PCCF Rc.No.17918/2019/FCA-4, Dt:03.08.2021.
- 13.General Manager, SCCL, Ramagundem Area-III, Peddapalli District Ref.No.CRP/EST/F-113, Dt:19.08.2021.
- 14.PCCF Rc.No. 17918/2019/FCA-4, Dt:23.09.2021.
- 15.CCF/CF Warangal Rc.No.74/2016/TO dt.23.09.2021.
- 16.PCCF Rc.No. 17918/2019/FCA-4, Dt:07.12.2021.
- 17.Gol, MoEF& CC, New Delhi F.No.8-16/2021-FC Dt.28.03.2022.
- 18.PCCF Rc.No.17918/2019/FCA-4, Dt:06.04.2022.
- 19.Director (P&P), SCCL, Kothagudem ref.no.CRP/EST/F-401A/483 Dt. 25.04.2022.
- 20.CCF/CF Warangal Rc.No.74/2016/TO dt.11.05.2022.
- 21.CF, Karimnagar Rc.No.56/2019/M2 dated 21.05.2022.
- 22.PCCF Rc.No.FC4/FC29/3/2022, Dt:11.06.2022
- 23.State govt letter no.1190/For.I(1)/2021 Dt. 27.06.2022.
- 24.AIGF, Gol, MoEF&CC, New Delhi, F.No.8-16/2021-FC, Dt.29.09.2022.
- 25.PCCF Rc.No.FC4/FC29/3/2022, Dt:15.10.2022.
- 26.CCF, kaleshwaram Rc.No.1048/2023/TO dt.13.04.2023.

Vide reference 26<sup>th</sup> cited, the Chief Conservator of Forests, kaleshwaram has

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submitted the point wise reply as desired by the Government of India, MoEF& CC, New Delhi in ref 24<sup>th</sup> cited.

The point wise information furnished is as under:

**i. KML file of 448.90 ha and 288.87 ha (total 742 ha) of the Upperlakesaram Forest Block.**

**Reply:**

- a. The extent of 448.90 Ha (330.33+118.57) is reduced to 448.7527 ha after DGPS survey (330.1827 Ha + 118.57 Ha.) KML file of 448.7527 Ha in soft copy is enclosed.
  - b. Hence, the total area became 742.5827 Ha (330.1827 + 412.40). However the balance area will become 293.87 Ha (42.5827-448.7527=293.83 Ha) and not 288.87 Ha as indicated above in para(i). Kml file of 293.83 ha is also attached. This sector (293.83 Ha) has 3 parts i.e 147.42 Ha, 165.4 Ha and 17.99 Ha. out of these 3 parts, the first two projects have been approved by MoEF while for 3rd the proposals is pending with MoEF for approval for which EDS reply are being submitted.
- ii. KML file of 412.40 ha (104 ha + 308.40 ha) of Manuguru OCP-IV and its CA sites (288.87 ha + 123.80 ha) provided in Upperlakesaram Forest Blocks along with its plantation status and status of these mines.**

**Reply:**

**a. KML file of 308.40 Ha of Manuguru OC-IV is enclosed.**

This area was diverted at Manuguru division for OCP vide MoEF, Gol. Lr No 8-24/88-FC, dt.21.12.1988. Later 104 Ha was withdrawn by SCCL. The CA land was adjusted to another diversion of RF land in Manuguru. Against this RF diversion, area of 412.40 Ha Non-RF was handed over at Ramagundam area to the Forest Department. This was in two bits of 288.87 Ha & 123.80 Ha for which KML & PDF files are enclosed. The Forest department has notified CA land handed over (412.40 Ha) as protected forest. Since this area 412.40 Ha was again permitted by MoEF for diversion to the SCCL.

**b. Plantation Status:-**

SCCL vide letter dated 07.02.2005 submitted application for diversion of 412.40 Ha. (247 Ha surface use) which was given as CA land earlier, for the purpose of GDK 9, 10 & 10A and OC I and OC-II expansion. The MOEF, Gol, vide reference No. 81-09/2005-FC, dated ' 2ndMay 2008, issued order for diversion of 412.40 ha of protected forest land (including 247 ha for surface use and 165.40 ha for UG rights).

Out of 165.40 ha from UG rights, SCCL submitted an application for diversion of 147.42 ha - for surface use and the MoEF, Gol, approved the proposal vide letter No.8-109/2005-FC, dated 01-8-2013. (Copy enclosed )

The SCCL had initially deposited an amount of 59.32 lakhs for raising CA and plantation. Subsequently as this area was diverted again, these plantations area came under mining area. In the balance area of 17.98 ha, (17.994 ha as per DGPS survey) of UG rights plantation raised by SCCL over the surface in the year 2012 and the same is being maintained.

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c. **Status of Mines:** In 308.40 ha. presently Praksham Khani Opencast Mine is Under operation

iii. **KML file of 412.40 ha (247 ha surface use + 165.40 ha UG use) and its mining plan details.**

**Reply:** KML file of 412.40 ha (247 ha surface use + 165.40 ha UG use) is enclosed Mining plan including Mine closure Plan of Ramagundam Coal Mine was approved by the Ministry of Coal, Gol vide Lr No.55026/1/2020-CPIAM, dated 18.08.2020. (Copy enclosed )

iv. **KML file of CA land in respect of 247 ha land diverted for surface use and its plantation status.**

**Reply:** Non Forest Land of 247 ha had been handed over in the year 2001 to the Forest department as CA land in respect of 247 Ha was given as follows:

S.No	Forest Division	Village	Extent(Ha)	Amount paid (Rs) in Lakhs
1	Srikakulam	Mulapeta	13.04	
2		Dharmavaram	86.28	
3		Jeeupalem	51.90	
4		Rushiguda	33.16	
	Sub-Total		184.38	96.797
5	Bhadrachalam(North)	Kadecal	62.62	49.50
	<b>Total</b>		<b>247.00</b>	<b>146.297</b>

The planting status of area falling in Andhra Pradesh are being collected from the State of Andhra Pradesh. Regarding the plantation status of 62.62 Ha in Kadecal village of erstwhile Bhadrachalam(N), the plantation has been raised in the erstwhile Bhadrachalam division which is now called as Venkatapuram during 2015-16, since CA-NFL land was having good growth.

v. **KML file of 147.42 ha forest land proposed for surface use and its mining plan and changed land use details.**

**Reply:**

a. **KML file of 147.42 ha is enclosed and the** Copy of approval letter of Mining Plan including Mine closure Plan is enclosed.

b. **The present land use details:**

SI.No	Land Use	Extent (Ha)
1	Quarry	37.72
2	OB dumps	57.59
3	Protection Bund against vagu	1.66
4	Safe Barrier, Conveyers, Drainage	48.25
5	Service buildings	0.00
6	Bokkalavagu& SRSP canal diversion	1.88
7	Road diversion	0.32
	<b>Total</b>	<b>147.42</b>

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vi. **KML file of 118.57 ha forest land which was regulated under the diversion of 147.42 ha.**

**Reply:** 118.57 ha surface use KML file in soft copy is enclosed. In this area mining is continued.

vii. **KML file of 237.45 ha (2\*118.57 ha) of NFL against the diversion of 118.57 ha of forest land which was part of 448.90 ha and its plantation status. Also the KML file for the remaining 28.85 Ha NFL-CA area against (147.42 - 118.57=28.85 Ha) and its plantation status.**

**Reply:**

a. Non forest land towards CA of 237.45 Ha (2 x 118.57 Ha) was handed over to Forest department as below:

Sl.No	Extent in Ha	Location
1	86.727 Ha out of 183.45 Ha	Zafarghad (V), Mulugu Range, Warangal North Division
	Compensatory Afforestation has been done in the suitable areas of Non-forest land of 46.00 Ha in Sy.No.1566/1 of Zaffergadh(v) and 10.00 Ha in Degraded Forest Lands-of Thatikonda RF of Ghanpur (Stn) Range, Jangaon District and 17.00 Ha in Inuparathigutta RF of Warangal Urban Range, Hanamkonda District. The remaining areas of 110.45 Ha are covered with hillocks with high hilly tops, boulders rocks which are not suitable for planting and implementation of the balance compensatory afforestation and the balance area planting will be taken up in WLM Eturunagaram to an extent of 110.45 Ha.	
2	30.330 Ha out of 70.00 Ha	Polkepad (V), Gopalpet Mandal, Mahaboobnagar Division
	The plantation was raised in 30.33 Ha during the year 2015-16.	
3	48.863 Ha out of 55.13 Ha	Pinapaka (V), Bayyaram Range, palvoncha Division
	Gap plantation has been raised in 2015-16 with 125 plants per Ha and Activities has been takenup during 2014-15. Further planting in DFL has been taken up for 48.86 Ha which has been raised in 2015-16 at Kalvalanagaram beat compt no.60 to an extent of 25 Ha and Janampeta Beat- compt No.30 to an extent of 23.86 Ha in Manuguru division.	
4	71.53 Ha	EsalaThakkallapalli (V), Manthani Range, Karimnagar East Division (Annexure-IX)- Peddapally District
	Since, the CA-NFL having good growth, the CA has been raised is 27.5Ha (12.5 ha + 15.00 Ha) in Manthani Range during 2014-15 and 2016-17 in degraded forest land and the Plantation is good. The balance area of CA Plantation is raised in Jayashankar Bhupalpally District to an extent of 45.00 Ha in Medipally Block.	
	<b>237.45</b>	

The KML files are enclosed.

b. As seen from the above information 118.57 Ha is not part of 147.42 Ha, hence

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generation of Kml file for 28.85 ha does not arise.

**viii. Plantation status of 660.66 ha of DFL against the proposal for diversion of 330.33 ha.**

**Reply:** The status of plantation in the 660.66 Ha of DFL against the proposal for diversion of 330.33 Ha was submitted by the Conservator of Forest, Warangal Circle, Warangal, to the Principal Conservator of Forests & HoFF, Telangana, vide letter Rc.No.74/2016/TO, Dated. 11.05.2022. KML files of 660.66 Ha are enclosed and this falls in Bhupalpally division.

**ix. State Govt. may provide the current status of the mines i.e. 247 ha and 165.40 ha.**

**Reply:**

- a. MOEF, Gol vide reference No. 81-09/2005-FC, dated 2nd May 2008, issued order for diversion of 412.40 ha of protected forest land (including 247 ha for surface use and 165.40 ha UG rights) which is used for the following Mines i.e. RGOCP-I, Vakilpalli UG Mine, GDK 10 A Incline and Adriyala Longwall Mine.
- b. Further, out of 165.40 ha, surface rights was granted for 147.42 ha by the MoEF, Gol vide Lr.No.8-109/2005-FC, dated 01-8-2013 and presently used for following Mines: i.e. GDK 10& 10A incline, Adriyala Longwall Mine & RGOCP-II .
- c. The remaining 17.98 ha (17.994 Ha as per DGPS survey) with UG rights - RG Coal Mine (GDK 10 &10 A Incline)
- d. The Mining plans of ail these mines have been approved and mining is going on as per the approved Mining Plans. (Copy of approved Mining Plan for all these Mines is enclosed)

**x. The approved mining plan of the instant proposal i.e. 330.33 ha may be submitted.**

**Reply:** The Mining plan including Mine closure Plan of instant proposal which is part of Ramagundam Coal Mine was approved by the Ministry of Coal, Gol vide Lr.No.55026/I/2020-CPIAM, dated 18.08.2020 is enclosed.

**xi. The State Government is requested to identify the areas outsider notified forests for the CA purpose as per the decision taken in FAC meeting held on 27.01.2021 for the instant proposal. Further, the State Government is also requested to submit the KML files, CA suitability certificate and CA scheme.**

**Reply:** It is brought to the kind notice that the MoEF, Gol, had granted Stage-I for 147.42 Ha of Surface rights from UG vide F.No 8-109/2005-FC (vol), dated 19.07.2012, and amended on 23.07.2013. Subsequently granted stage-II vide F.No- 8-109/2005-FC(vol), dtd 01.08.2013. While granting Stage-

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I, the MoEF, imposed penal clause regarding 448.90 Ha (118.57+330.33) for penal C.A; which is as follows:

**Condition for 330.33 Ha:**

"State Government shall create and maintain penal compensatory afforestation from funds realized from the user agency over degraded forest land twice in extent to the portion of the 448.90 ha of forest land in the Upperlakesaram Reserved Forest Block kept under possession by the SCCL without obtaining approval under the Forest (Conservation) Act, 1980, after excluding the 118.57 ha (overlapped in 412.4 ha) of forest land which was utilised by SCCL for creation of compensatory afforestation (CA) considering it as non- forest land for which penal CA has separately been stipulated [i.e.  $2X(448.9-118.57 = 330.33)=660.66$  ha]".

The Forest department has identified double the extent of degraded forest area of 660.66 Ha (330.33x2) in Bhagirathi RF of Warangal Division (then) now in Bhupalpalli Division towards CA for the regularization of 330.1826 Ha..

Further, M/s.SCCL has also paid an amount of Rs.14,47,81,601 (Rs Fourteen crores forty seven lakhs eighty-one thousand and six hundred one only) through RTGS into CAMPA account (No- SBHYHI3067304841) for raising the compensatory afforestation in 660.66 Ha of degraded forest land.

Hence, the penal CA charges for the current Regularization proposal area of 330.1826 Ha were paid in the year 2013 itself to an extent of 660.66 Ha of degraded Forest land. It is further submitted that penal CA has already been imposed on the UA .

As evident from records this area ( now proposed for regularization) was originally handed over as Non-RF land from 1973 to 1987 by the Revenue department as a government Non-Forest land. The SCCL started mining since 1973 onwards. At no time any objection was raised from the Forest department, even the forest department accepted part of the area as CA treating it as Non-Forest. This happened only due to mistake of facts involving errors on the part of Revenue Department, Forest Department and SCCL. This mistake of fact cannot be attributed due to the UA hence may not be made responsible for this by imposing additional punishment through additional CA etc. Same time the above land was also accepted as CA by the Forest department only due to lack of clarity and mistake of facts otherwise they would have taken action against the UA as per rules. Forest department has taken the above revenue land for raising CA in the year 1987-88 and notified as Protected Forest in the year 1989.

**xii.Further, regarding the Upperlakesaram Forest Block (notified as RF in 1944), the IRO Hyderabad informed that the working plan document i.e., the Compartment History (working plan for the period 1992 - 93 to 2001 - 02) it is recorded that the land is having mixed forest with site quality VI and density 0.1 with age class of 10 to 30 years and goes on to mention that natural regeneration is poor and has wildlife bear, wild boar, rabbit and wildcat etc while the fact is that the land was under mining with SCCL from 1970s. In this case,**

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**what action the State Government has taken as and when violations were noted by the State Forest Department.**

**Reply:** The Inspector General(Forests) ( Central ), Integrated Regional Office, MOEF &CC, Hyderabad, had submitted the site inspection report to the Additional Director General of Forests(FC), MoEF& CC, Gol, vide F.No.TSA225/2021-HYD/97, dated 27.10.2021, where in as per the para no.2 of conclusions and Recommendations:

"The very fact that this land was forest land was not in the knowledge of Forest Department who had accepted it for raising CA against another diversion proposal of SCCL. The records shown during the site visit and discussions reveal that this land was lawfully obtained by SCCL from Revenue Department. Therefore this is to be considered as a mistake of fact involving errors on the part of Revenue Department, Forest Department and SCCL & thus cannot be solely attributed to SCCL. As a matter of fact of the three agencies least is expected to be in the knowledge of SCCL in respect of the status/ownership of this land in fact, it is SCCL which has pointed out that this a forest land as per records shown during the visit in presence of the senior officials of the forest department". They were fully unaware that Mining is going on in this area.

Further, the Forest Range Officer, Manthani, was requested to inspect these areas of the Compartment and submit a report. He has reported that he has conducted site inspection of these areas along with the Officials of the SCCL on 15th March, 2023. He has confirmed that in this area no wildlife is present and open cast mining is going on since long period and the depth in the quarry reached is about 250Meters. It was also informed that adjoining to this area residential colony like 8- Incline Colony, Police Station 2 Town Godavarikhani, and the SBI bank are there, as such no wildlife is present and no impact on wildlife.

As stated above, the mistake of facts which was also mentioned by the IRO during his site inspection on 2021, the SCCL has only brought this to the notice of the State Government for which they have already been penalized.

**xiii. The State Government is requested to provide the details and KML files of the Safety Zone as per Para 7.9 (chapter 7) of the Ministry's handbook of FCA, 1980 & FC Rules 2003 (guidelines and clarifications) 2019 for the instant proposal.**

**Reply:** The safety Zone of the instant proposal is 9.36 Ha.(Area of 1.5 times is 14.04 Ha) After getting Stage-I, Necessary funds for Afforestation in 14.04

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Ha of degraded forest land will be deposited as per the demand issued by the forest department. KMI file of 14.04 Ha proposed towards one and half times of safety zone area is enclosed.

It is submitted that, out of 448 Ha, mining was started in 330 Ha way back in 1974, which was handed over to SCCL by the Revenue department. Further, 118 Ha was considered for CA land by the Forest department, thus accepting as revenue land and this was regularized by diversion by the MOEF 8tCC, GOI, when 247.00 Ha diversion proposal is are accepted vide G.O.Ms.No.74, Dated:-18.06.2018 by EFS & T (FOR) Dept.

In view of the above, the State Government is requested to transmit the additional information to the Gol , MoEF & CC, New Delhi, duly recommending the regularization of 330.1821 ha in view of above circumstances and facts.

**Encl: As above.**

Yours faithfully,

Pr. Chief Conservator of Forests.  
(Head of Forest Force)

**Advance Copy** submitted to the Director General of Forests & Special Secretary to the Govt, MoEF& CC, Gol, Indira Paryawarana Bhawan, Jorbagh Road, New Delhi-110003 for information and necessary action.

**Advance Copy** submitted to the Inspector General of Forests (FC), MoEF& CC, Gol, Indira Paryawarana Bhawan, Jorbagh Road, New Delhi-110003.for favor of information.

**Copy to**

The District forest officer's, Mulugu, JayashakerBhupalapally and Peddapally for information .

The General Manager, M/s Singareni Collieries Corporation Limited, Peddapally District.

The Conservator of Forests, Kaleshwaram circle for information.

Copy to the Advisor, Forestry, M/s.SCCL, Hyderabad for information.