GOVERNMENT OF TELANGANA
FOREST DEPARTMENT

From,
Sri C. Sridhar Rao,
Divisional Forest Officer,
Medak

To,
The Superintending Engineer,
RWS&S Department,
TDWSP,
Medak.

Rc.No.2131/S6/2015, Dated: 03.08.2016

Sir,


Ref: 1. MoEF&CC, Gol, F.No.11-306/2014-FC(pt.) Dt.28.08.2015
2. G.O. Rt. No. 64 EFS&T (For-I) Department Dt. 25.05.2016 communicated through Prl. CCF, Hyd. Ref. No. 12377/2015/FCA-1/TS, dt. 06.06.2016.
4. RTGS transaction number 532754001 Dt. 02.08.2016.

It is to inform that, the following have been complied as per the conditions stipulated in ref 1st cited:

1. The Superintending Engineer, RWS&S Department, TDWSP, Sangareddy has deposited the Rs. 28, 26,219/- towards cost of raising of Compensatory Afforestation and Rs. 25, 16,520/- towards net present value of forest land being diverted, and Rs. 13,320/- towards cost of tree value ref 4th cited as per the letter issued vide ref 3rd cited in accordance with the C.No.(i) of ref 1st cited;

2. G.O. Rt. No. 64 EFS&T (For-I) Department Dt. 25.05.2016 according Stage-I approval for diversion of forest lands for the subject cited has been published at http://goir.telangana.gov.in/ by the State Government in accordance with the C.No.(iii) of ref 1st cited;

Therefore, in accordance with the powers conferred as per the C.No.(i) of ref 1st cited; working for tree cutting and commencement of work stated in the subject is
accorded to the Superintending Engineer, RWS&S Department, TDWSP, Sangareddy subject to complying with the following conditions:

1. To enter into the agreement with the DFO, Medak agreeing to the terms and conditions stipulated in the agreement and to complete the works for laying of pipeline and construction of structures for Segment-10/B under Telangana Drinking water supply project;

2. The Superintending Engineer, RWS&S Department, TDWSP, Sangareddy shall publish the entire forest clearances granted in verbatim along with the conditions and safe-guards imposed by the Central Government in two widely circulated daily newspapers, one in vernacular language and the other in English language, so as to make people aware of the permission granted to the project proponent for use of forest land for non-forest purposes (C.No.(vii) of ref 1st cited) and submit compliance to this office;

3. The copies of the Forest Clearance should also be submitted to the Heads of local bodies, Panchayats and Municipal Bodies by the Superintending Engineer, RWS&S Department, TDWSP, Sangareddy in addition to the relevant offices of the Government who in turn has to display the same in 30 days (C.No.(vii) of ref 1st cited).

Therefore, the Superintending Engineer, TDWSP, Sangareddy is requested to execute the agreement in the prescribed format appended to this letter with the Divisional Forest officer Medak by 04.08.2016., on Rs. 100 non-judicial stamp papers.

This may be treated as most urgent.

Yours faithfully,

Divisional Forest Officer,
Medak

Copy submitted to the Principal Chief Conservator of Forests (HoFF), Telangana State, Hyderabad for favour of information and necessary action,

Copy submitted to the Addl. Principal Chief Conservator of Forests (FCA), Telangana State, O/o. Principal Chief Conservator of Forests (HoFF), Hyderabad for favour of information and necessary action.

Copy submitted to the Chief Conservator of Forests, Nizamabad Circle, Nizamabad for favour of information and necessary action.

Divisional Forest Officer,
Medak
AGREEMENT

This deed of agreement is made and executed on this day 3rd of August 2016, between Divisional Forest Officer on the one part (Here in after called as the First Party) and Superintendent Engineer, TDWSP, Sangareddy of the other party (Herein after called as second party).

Whereas the Superintendent Engineer, TDWSP, Sangareddy (Second party) is responsible for the work of laying of pipeline and Construction of Structures for Segment-10/B under Telangana drinking water supply project Medak Division and for the said purpose 4.22 ha of forest land is required for which the proposals under Forest (Conservation) Act, 1980 was submitted for according necessary approvals and accordingly the Government of Telangana has accorded Stage-I approval vide G.O. Rt. No. 64 EFS&T (For-I) Department Dt. 25.05.2016 with 17 conditions stipulated; whereas the Ministry of Environment and Forests & Climate Change, Government of
India F.No.11-306/2014-FC(pt.) Dt.28.08.2015 has conveyed guidelines to all the State Governments and Union Territories on simplified procedure for grant of permission for felling of trees standing on forest to be diverted for execution of linear projects stating that “to facilitate speedy execution of projects involving linear diversion of forest land, in-principle approval granted under Forest (Conservation) Act, 1980 may be deemed as the working permission for tree cutting and commencement of work, if the required funds for compensatory afforestation, net present value etc., and all such other compensatory levies specified in the in-principle approval are realized from the UA” (C.No.(i)) with certain conditions stipulated therein and authorizing the officer not below the rank of DFO to pass such order (C.No.(ii)).

Accordingly, the Second Party has deposited all the compensatory levies i.e., Rs.5356059 into 2. SB Account No.344902010106351, Telangana State CAMPA, Union Bank of India, New Delhi on 02.08.2016 against the Challan generated WATER168662015124 and same is reflected in the forestsclearance.nic.in portal. Further, the second party agreed to perform all conditions/ compliances as contained in F.No.11-306/2014-FC(pt.) Dt.28.08.2015 as well as G.O.Rt. No. 64 EFS&T (For-I) Department Dt. 25.05.2016. The said G.O. has been published at http://goir.telangana.gov.in/ by the State Government (C.No.(iii) of F.No.11-306/2014-FC(pt.) Dt.28.08.2015). Therefore, the deemed permission has been granted by the First Party to the Second Party with the following conditions:

1. The Second Party has to Publish the entire forest clearances granted in verbatim along with the conditions and safe-guards imposed by the Central Government in two widely circulated daily newspapers, one in vernacular language and the other in English language, so as to make people aware of the permission granted to the project proponent for use of forest land for non-forest purposes (C.No.(vii) of F.No.11-306/2014-FC(pt.) Dt.28.08.2015)

2. The copies of the Forest Clearance should also be submitted to the Heads of local bodies, Panchayats and Municipal Bodies by the Second Party in addition to the relevant offices of the Government who in turn has to display the same in 30 days (C.No.(vii) of F.No.11-306/2014-FC(pt.) Dt.28.08.2015).

[Signatures of Second Party, Superintendent Engineer, TDWSP, Sangareddy and First Party, Divisional Forest Officer, Medak.]
3. The Forest Department shall dispose all the appeals filed against the order of Deemed Permission issued by the DFO, Medak i.e., First Party (C.No.(v & vi) of F.No.11-306/2014-FC(pt.) Dt.28.08.2015)

4. The Second Party and First Party shall comply with all the following conditions stipulated in the G.O.Rt. No. 64 EFS&T (For-I) Department Dt. 25.05.2016 as follows:

a) The First Party shall submit undertaking that the legal status of the forest land through diverted for use of laying of pipe line Construction of Structures and Transmission line work, shall remain unchanged;

b) The Second party has already demarcated the outer boundary of the Forest area diverted for the above project by the erecting cement concrete pillars duly numbered at an interval of 20 meters at their cost.

c) The second party including its user agency agrees, binds and state that they shall reduce the number of trees to be felled and shall be as per the enumeration list submitted by DFO.

d) The second party including its user agency agrees, binds and state that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the forest department.

e) The second party including its user agency shall be responsible for any loss to the flora / fauna in the surrounding.

f) The second party has deposited a sum of Rs. 28,26,219/- towards cost of raising of Compensatory Afforestation plantations for raising plantation and its maintenance over 8.44 ha of degraded forest lands (in Compt. No 188 of Rangaipally Reserve Forests of Siddipet Range) i.e. double the extent of forest land diverted. The user agency has deposited the amount through RTGS vide transaction number 532754001 dt.02.08.2016. The second party has also paid another sum of Rs. 25,16,520/- towards Net present value of the forest land being diverted for the above project and also the user agency has deposited the sum of Rs. 13,320/- towards cost of tree value through RTGS vide transaction number 532754001 dt. 02.08.2016 payable to the first party.

Second Party,
Superintendent Engineer,
TDWSP, Sangareddy

First Party,
Divisional Forest Officer,
Medak.
g) The second party further hereby agrees and undertakes to pay 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 paid by the user agency by agrees to undertake to the pay same through this agreement those the second party agrees, binds and declares it is ready to comply with the condition number 8 of as per the said G.O.

h) The second party including its agency agrees and declares that they shall not affect the recognized rights of primitive tribal group and free agriculture communities and shall also furnish a certificate to that effect. Accordingly, the District Collector Medak has examined under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as per the guidelines issued by Ministry of Environment & Forests vide letter No. 11-9/1998 – FC(Pt) dated. 5-7-2013 and vide his certificate dated 20.01.2016 District Collector Medak has issued certificate to the effect that no such primitive tribal group free agriculture communities are located in the said forest area being diverted for the use of forest land for laying of pipeline and Construction of Structures for Segment-10/B.

i) The second party including its agency agrees and declares that the forest land shall not be used for any purpose other than that specified in the proposal;

j) The second party including its user agency agrees and binds and state that other conditions specified in the GOI, MoEF, letters, Dt.03.01.2005, 13.05.2011, 16.6.2011, 13.02.2014, and 07.11.2014 shall be complied and same shall also be complied with by Principal Chief Conservator of Forests, TS, Hyderabad.

k) The second party including its user agency agree and binds that the total forest area utilized for the project shall not exceed 4.22 Ha. In case the land is not taken over by the user agency or the same is not used for the stipulated purpose within period of 2 years, then the area shall be taken back by the forest department.

l) The second party including its user agency hereby agrees, declares and state that, it shall not use more than 4.22 ha for the pipeline and construction of structure for Segment-10/B.

[Signatures]

Second Party,
Superintendent Engineer,
TDWSP, Sangareddy

First Party,
Divisional Forest Officer,
Medak.
m) The second party including its user agency, further agrees binds and under
takes shall under no circumstances the forest land diverted shall be transferred
to any other agency, department or person without prior approval of the
government.

n) The second party including its user agency, further agrees binds and
undertakes to comply any other conditions that may be imposed from time to
time by the Government of Telangana State in the interest of conservation
protection / development of forests.

o) The Second party including its user agency further agrees and binds that
transfer of forest land to the user agency shall not be affected prior to the issue
of final approval. This approval shall be valid for a period of 5 years. In the
event of non-compliance of the above conditions of this approval shall
automatically stand revoked.

p) The second party here by agrees and undertakes to send the compliance
reports in respect of the condition stipulated in stage -1 approval within 6
months from today to the Divisional Forest Officer, Medak and then to the Prl.
Chief Conservator or Forests, TS Hyderabad for processing of the proposal for
final approval by State Government.

q) Further, the First party hereby agrees, binds and declares that the forest
departments shall fell all standing trees in the forest area being diverted for the
project of laying of pipeline and Construction of Structures segment –10/B
Medak District by the forest department itself and the second party undertakes
not to touch or fell such trees in any manner.

In the testimony whereof the first party and second party have signed on this
deed and against their names in the presence of the witness on the dated month and
year first above mentioned.

Second party,
Superintendent Engineer,
TDWSP, Sangareddy

First party,
Divisional Forest Officer,
Medak

WITNESSES:

1. Name: T. Rajaiah,
Address: EE, TDWSP,
Gajwel

2. Name: C. H. Venkat Rama Rao
Address: Forest Range officer
Laddipalle