

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
BRANCH AT CHENNAI

APPLICATION NO. 33 OF 2016 (SZ) IN THE MATTER

Between:

Vakkanti Koteswar Rao

... Applicant

Vs.

Ministry of Environment,
Forest and Climate Change,
Govt of India & 8 others

... Respondents

FINAL WRITTEN ARGUMENTS FILED BY THE APPLICANT

The Applicant herewith humbly requests and submits that:-

1. The applicant submits that the present application is filed under section 14&15 of the national green tribunal Act: 2010, challenging the ongoing illegal mining operations, reserve forest land illegal encroachment (violation of F.C.Act: 1980) activities happening in the areas of the erstwhile Nalgonda district now it is belongs to suryapeta district Telangana state, which is violation of provision Environmental Protection Act, and Forest Conservation Act: 1980.
2. The applicant humbly submits that the entire violations of this case is being divided in to seven (7) different objects or parts for the convenience and easily conveying the matters to the Honorable NGT as per below mentioned.

(A) *It has come to knowledge that the Government of India, Ministry of Environment, Forest and Climate Change (IA) Division) New Deli issued Show Cause notice under Sec.5 of Environment (Protection) Act, 1986-Project titled Bhavanipuram Limestone Mine-3 (ML area 193.1ha) of Ravikpahad, Palakeedu Mandal, Suryapet District, erstwhile Neredcherla Mandal, HuzurNagar Tahuk, Nalgonda District to show-cause why the Ministry should not take action against it, but no explanation submitted by the 8th respondent in the time stipulated in the show cause notice, the Ministry of Environment and Forest and Climate Change not initiated any action.*

(B) *Reserve forest land encroachment done by the 8th respondent without any prior approvals from the government authorities as per F.C.Act 1980.*

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(C) Violations and procedure lapses against the guidelines office memorandum-2011 dated: 09.09.2011 done by the 8th respondent in mine-3 extent of 183.11 hectors saidulnama reserve forest comp no 26.

(D) Violations and procedure lapses done by the 8th respondent in mine-2 extent of 73.93 hectors which belongs to the saidulnama reserve forest comp no 27.

(E) Violations and procedure lapses F.C Conditions done by the 8th respondent in mine-1 extent of 22.75 hectors which belongs to the saidulnama reserve forest comp, no 27.

(F) Issues related to the Pollution and environmental Damages by the 8th respondent as per the Environment protection Act.

(G) The Regulatory Bodies (Forest, Pollution and Mining Departments) though observing all these irregularities and due to its dishonesty and negligence this type of mischief is going on for the last 20 years,

A) The Government of India, Ministry of Environment, Forest and Climate Changes (I.A.) Division) issued show cause notice and other notices from MOEF and State Govt. Bodies:

i) Despite the Government of India, Ministry of Environment, Forest and Climate Change (I.A. Division) issued show cause Notice vide F.No.J-11014/29/2021-IA-I(M) dated 5-8-2021 to show cause why the Ministry shall not take action against respondent No.8 and further advice to submit its reply within 30 days, from the date of receipt the said notice, failing which Ministry will be constrained to initiate action, as deemed fit and appropriate action under the provision of Sec.5 of the Environment (Protection) Act, 1986 and in the circumstances of the case with or without any further notice to the Project. The MOEF also brought same to the notice of the Hon'ble NGT (SZ) Chennai in Reply dated 24-9-2021, therefore I pray the Hon'ble NGT (SZ) Chennai to pass necessary orders to implement issues in notice dated 5-8-2021 and further cancel the Forest, Environment Clearances forthwith in the interest Nature, Environment and Climate **(Annexure-1 page no 1 to 3)**.

ii) I have made complaint to the Director, Ministry of Environment, Forest & Climate Change, Government of India against

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irregularities committed by the 8th respondent, Mine-III, Bhavanipuram Limestone Mine with Production capacity form 0.3 million TPA to 2.3 Millan TPA of Limestone by M/S Deccan Cements Ltd., Located at Village Ravipahad, Palakeedu Mandal, Suryapet District, Erstwhile Nereducharia Mandal, Nalgonda District, wherein I requested to cancel the Forest Clearances and Environment clearances. In this regard, the Under Secretary (Vigilance) Ministry of Environment, Forest & Climate Change, Vigilance Division issued OM on 4-12-2017 vide No.11013/32/2017-AVU and Sr.Asst. Inspector Genera of Fresh (FC), MOEF also issued a letter dated 19-01-2018 vide F.No.11-193/2017-FC to the Special Secretary to Govt (Forests), Telangana, The Chief Conservator of Forests, Government of Telangana (Head of the Forest Force) (FAC) vide Rc.No.3456/2014/FCA-5 dated 19-3-2020 to The District Forest Officer, Suryapet to examine the issue and furnish the report to the Government immediately, for taking further action in the matter. But the DFO Suryapet, being colluded with the 8th respondent neither examined the issue nor submitted any report till today, in this regard there are 32 reminders to him from the Government of India and State Government offices in this regard, hence I pray the Hon^{ble} NGT Chennai to take this issue seriously and issue appropriate orders **(Annexure-1 page no 4 to 10 pages)**.

B) Reserve forest land encroachment done by the 8th respondent without any prior approvals from the government authorities.

1) The applicant humbly submits that in the report of the joint committee constituted by the Honorable N.G.T, Dated: 13.08.2020, in page no: 25 and para no: 03, it was reported that only 8.00 hectares of Reserve forest land illegally encroached to build permanent structures like Sheds, power plant Etc. by the 8th respondent. The details of illegally encroached reserve forest land is portrayed **wrongly** by the joint committee the applicant here by humbly submits the actual truth with Evidences regarding the illegal encroachment of reserve forest land by the 8th respondent.

The applicant here by humbly submits that the applicant : Vakkanti koteswar Rao lodged a complaint at the Chief conservator of forests, Khammam circle, Khammam, regarding the illegal Encroachment of Reserve forest land by the 8th respondent i.e. Deccan cements limited Bhavanipuram on dated 19.02.2018 based on the complaint by the petitioner and direction from the Chief conservator of forests,

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Khammam circle the detailed survey was conducted as per the Forest Gazette Notification Map, records and the Revenue Gazette map, records by the Forest department flying Squad on Dated : 09.06.2020. In presence of the 8th respondent representative and the petitioner. On the same day the Forest flying squad conducted Panchanama and it was declared that the **Total of: 31.63 Hectors of reserve forest land was encroached by the 8th respondent in compartment no 26 and 27 of Saidulnama reserve forest.**

The panchanama was signed by the Forest officials, local witnesses and the 8th respondent representatives agreed to the facts stated in the report. The panchanama also has the detailed G.P.S Readings noted by the Forest officials. The report submitted by the Forest Flying Squad to the Chief conservator of forests, Khammam circle through letter number: R.C.No:32/CP/FSD-2020; dated 08.06.2020. stated that "the total of 10.12 hectors of Reserve forest land is encroached in Comp no : 26 to establish permanent structures like compound wall along with big gate, railway track with Railway platform and power plant. And 21.51 hectors of reserve forest land in comp no: 26 to establish permanent structures like officers' quarters, petrol bunk, employs quarters, guest house, D.C.L Main Gate and many of internal connecting roads" **(Annexure-2 page no 11 to 29).** Based on the report submitted by the Forest Flying squad the C.C.F Khammam circle submitted it to the Principal Chief Conservator of forests, HOF Telangana, Hyderabad through R.C No: 174/2018/M11, dated on: 27.07.2020. and requested to take action against the violator that is Deccan Cements limited.

2) The applicant humbly submits that the possibility of reserve forest land encroachment area between east side boundary of Mine-2 D.G.P.s survey station no (7) to Station no (10) and west side boundary of factory was discussed way back in the year of: 2013 by Dr, Chandra, B. Malasi Addl, Prl. Chief Conservator of forest, (FCA-M) O/o the principal chief Conservator of Forests Andhra Pradesh, Hyderabad. In his field inspection notes dated on: 08.10.2013 along map evidences. He also advised for an immediate survey to be conducted of that portion to be taken up as per F.C.A proposal to know **whether there is any encroachment or not** in point -1 of his inspection notes **(Annexure-3 page no 30 to 33)** the survey reports of the flying squad, Khammam declared the above encroachment as

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in comp no -27 of saidulnama reserve forest area. All the forest officials from D.F.O Suryapeta To P.C.C.F (HOFF) knows that the reserve forest land encroachment matter since 2013, but due to special interest and intensions of favor towards 8th respondents or the user agency, the officials failed to take necessary action against to the user agency and proved themselves to be professionally dishonest.

3) The D.F.O suryapeta, C.C.F Khammam, Khammam circle, and P.C.C.F (HOFF) Telangana all knows the facts that the **total reserve forest land encroachment is: 31.63 hectors. But the forest department officials colluded with the 8th respondent and submitted a reports made on their table only and stating that only 8.0 hectors of reserve forest land was encroached by the 8th respondent to the Honorable N.G.T. the officials of the forest department are professionally dishonest and are corrupted by the user agency.**

4) The joint committee invited the applicant M.R Vakkanti koteswar Rao while preparing the report and the applicant submitted all the evidences proving the encroachment of 31.63 hectors of reserve forest land, but the joint committee also hide the evidences received from the applicant and submitted fabricated reports to the honorable N.G.T stating an encroachment of only 8.02 hectors of reserve forest land.

5) The applicant here by submits that the petitioner Mr. Vakkanti koteswar Rao given a complaint to the P.C.C.F (H.O.F.F.) Aranyabhavan, forest department, Telangana state. On dated: 24.08.2020. Requesting to file PIR and stop the trespassing of M/S Deccan cements LTD, Bhavanipuram, in the illegally encroached reserve forest area according to the reports of the joint committee constituted by the Honorable N.G.T. but the P.C.C.F(H.O.F.F) Telangana, failed to take any action on the complaint till to date.

6) Same as the 8.02 hectors of encroachment of forest land is reported to the honorable N.G.T, the N.G.T given a directions for action taken report to the joint committee and M.O.E.F&CC, but the joint committee failed to submit the report even after several arguments from the honorable N.G.T till date.

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7) The applicant humbly submits that the 8th respondent submitted the proposal for the regularization of 8.0 hectares of encroached reserve forest land on dated: 19.03.2021 with using of **Forest Dwellers Act and submitted R.O.F.R Certificate along with the proposal**“**which is not applicable to this particular case**” via proposal no: FP/TG/RAIL/138554/2021. **(Annexure-4 page no 34 to 44)** and this proposal was strongly recommended by the state forest officials of various designations to IRO (Central), Hyderabad it is clearly mentioned in the stage-1 forest clearance and 47th R.E.C meeting minutes and stated that the 8th respondent was committed this violation purely unintentionally.

The applicant lodged a complaint to the regional office (Central) , IRO Hyderabad to Revoke the proposal of encroached reserve forest land Stage-1 clearances by the 8th respondent over an extent of 8.0 hectares on dated : 03.05.2021 **(Annexure-5 page no 45 to 47)** the same complaint was discussed on the 47th meeting of the R.E.C (Regional Empowered Committee) on dated 07.05.2021 via video conference , and the R.E.C approached the P.C.C.F Telangana for clarification on this complaint but the P.C.C.F Telangana was strongly supported the violations of 8th respondent and recommended the proposal of the 8th respondent with the special interest and intentions to do favor to the 8th respondent, all this correspondences proves that the forest officials are encouraging the illegal encroachments despite their duty to protect forest lands.

8) The applicant humbly submits that in one of the annexure submitted by the 8th respondent in Government of India official web portal **PARIVESH (PRO ACTIVE RESPONSIVE FACILITATION BY INTERACTIVE AND VIRTUOUS ENVIRONMENTAL SINGLE WINDOW HUB)** proposal forest land Drawing, **(Attachment-3)**. In that drawing forest land shown in green color, revenue land shown in white color, the proposed regularization land is also in green color with red color boundary and total 8th respondent establishments boundary is shown in blue color which includes reserve forest lands in compartment number: 26 and 27 of saidulnama reserve forest. If we examined that map clearly and easily find that how much land was encroached by the 8th respondent and how much land is trying to regularize now.

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9) The applicant humbly requests to the honorable court to consider the reports of the forest flying squad regarding the encroachment of: 31.63 hectors, and **revoke the post-facto Forest clearance of regularization proposal of the encroached reserve forest land done by the 8th respondent over an extent of: 8.00 hectors proposal no: FP/TG/RAIL/138554/2021.as without pre approval of forest clearance any encroachment of forest lands regularization is not provisioned accordingly F.C.Act:1980.**

The applicant humbly request that the encroached forest land extent of : 31.63 hectors as per Forest flying squad Khammam , K.M.L File and PARIVESH web portal drawing to be completely demolished and handed over to the forest department .and the applicant requesting to the honorable N.G.T to issue orders accordingly.

(C) Violations and procedure lapses against the guidelines office memorandum-2011 dated: 09.09.2011.done by the 8th respondent in mine-3 extent of 183.11 hectors saidulnama reserve forest comp no 26 at Ravipahad village.

1) The applicant humbly submits that the 8th respondent obtained prior Environmental clearance for the Mine lease: 3 extent of 183.11 hectors in saidulnama reserve forest compartment number: 26 ravipahad village, through letter no: J-11015/642/2007-IA.II (M) Dated: 10.08.2007,**[Annexure-6 A page no 49 to 50]**with the production capacity of 0.3 MTA. With some specific Conditions as bellow.

- *Environmental clearance is subject to obtaining forestry clearance for the diversion of forest land under the Forest Conservation Act-1980.*
- *Environmental clearance is subject to obtaining approval from I.B.M Indian Bureau of Mines for mining plan/ scheme and progressive mine closure plan.*
- *Mining activity at Mine-3(ML area 183.11 ha) at village ravipahad, shall begin only after the bhavanipuram Limestone Mine-2 (ML area 73.93 ha), located at village mahankaligudem, adjacent to this mine, has exhausted its mineable ore.*

2) The applicant humbly submits that the letter no: J-11015/642/2007-IA.II (M) Dated: 10.08.2007, Environmental clearance is subject to obtaining forestry clearance for the diversion of forest land under the Forest Conservation Act-1980.as per the

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office memorandum issued by the Government Of India, Ministry of Environment and Forests letter no: J-11013/41/2006-IA.II(I) dated: 09.09.2011, is clearly stated that the project proponent should get the Forest clearances within the 12 months of time and exceptionally 18 months from the date of issue of Environmental Clearance and as per the **Guidelines for Environmental Clearance E.I.A (Under the Notification of 2006) to projects involving diversion of forest lands and wild life Areas,**

Stated that these procedures now stipulate that where a diversion of forest lands involved, the terms of reference under the E.I.A notification of 2006 (scoping) should not be granted unless credible proof of making an application for forest clearance has been submitted. For the final appraisal, the committee and the competent Authority (setup under the EIA notification) will take a decision on the application for Environmental Clearance based on merits, taking cognizance of the involvement of the forest land. If the clearance is decided to be granted the project proponent would be informed and given an opportunity (within 12 months extendable up to 18 months) to submit the stage-1 forest clearance. The final Environmental Clearance will be issued only thereafter. If the stage-1 forestry clearance is not granted in this stipulated period the Environmental Clearance would stand rejected and whole process would have to be done again.

The applicant humbly submitted that the 8th respondent is completely violated prescribed procedures and guidelines of ministry, The time limit is stipulated by the ministry is 12 month and exceptionally 18 months from the date of Environmental clearance that is i.e.; 10.08.2007, to 10.04.2009 is the last date for the submission of stage-1 from user agency, but the 8th respondent submitted a proposal to the forest department on dated: 10.20.2010. Obtained a stage-1 forest clearance, but the 8th respondent is obtained stage-1 on dated: 21.02.2012, and stage-2 obtained in: 13.09.2013.

3) The Applicant humbly submitted that the 8th respondent is violated a prescribed procedures of Forest clearance, as per the checklist for Forest Clearance proposal the project proponent should be submitted approved Mining plan from the Indian Bureau of Mines Nagpur, it means after getting the mining plan only the proposal

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should be accepted by the concert authorities, the applicant humbly submits that the 8th respondent obtained Mining plan for the Mine Lease-3 Extent of -183.11 hectares, Bhavanipuram limestone mine, Ravipahad Village, on dated: 9th February-2015, (**Annexure-6 page no-48**) this is clearly violation procedures and provisions of the Forest Conservation Act-1980, the applicant, the applicant humbly submitting that the joint committee reported to the honorable N.G.T Court, the all above violations done by the 8th respondent is not a matter and this issues are not found by the ministry at that time of Enhancement of Environmental Clearance R.C Number: J.11015/375/2015-IA.II(M),E.C, dated 05.01.2017 (**Annexure-7 page no 58 to 67**), so all this lapses and violations are not matter now.

The applicant humbly requesting that the above violations and procedure lapses accepted by the joint committee even though the joint committee is not able to take any action on the 8th respondent, and They are making every effort to protect this 8th respondent from the consequences of these violations. Now the applicant humbly requesting to the N.G.T Court to praying that the court recognizes these issues and make the right decision and punish the officers who is wontedly supporting this violations.

4) The applicant humbly submits that Mining activity at Mine-3(ML area 183.11 ha) at village ravipahad, shall begin only after the bhavanipuram Limestone Mine-2 (ML area 73.93 ha), located at village mahankaligudem, adjacent to this mine, has exhausted its mineable ore. As per the specific condition mentioned in the Prior Environmental Clearance dated: 10.08.2007, the applicant humbly submits that the 8th respondent is operating both mines i.e.; M.L-2 (73.93ha) and M.L-3(183.11ha) from the 2014 this is clearly violation of specific conditions prescribed in Environmental Clearance letter no: J-11015/642/2007-IA.II (M) Dated: 10.08.2007, the applicant humbly submits that the joint committee constituted by the Honorable N.G.T, reported Dated: 13.08.2020, stating intentionally false report to the honorable court, the committee reported that, R.C Number: J.11015/375/2015-IA.II(M),E.C Environmental Clearance dated 05.01.2017 (**Annexure-7 page no 58 to 67**), is given relaxation for this condition.

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The applicant humbly requesting to the honorable N.G.T to please read the **(Annexure-7 page no 58 to 67)**, (E.C-2017) there is no relaxation given by the ministry, but the joint committee is wontedly submitted wrong report to the Honorable N.G.T to reduce the effect of the case.

The applicant humbly requesting to the honorable N.G.T in this connection Ministry of Environment, forest and Climate Change (I.A Division) New Delhi has issued show-cause notice Dated: 5th August 2021, (Annexure-1 page no 1 to 3) and clearly mentioned that the 8th respondent has violated Section 5 of environmental protection Act 1986 and reported that the 8th respondent is operating both mines ML-2 and ML-3 simultaneously which is not permissible as per the Specific Conditions of the Environmental Clearance of Mine Lease-3 .

The ministry directed to the 8th respondent submit their response to why this ministry shall take action against the 8th respondent under the provision of Environmental (Protection) Act, 1986 for the noncompliance of the environmental Conditions mentioned in E.C letter J-11015/642/2007-IA.II (M) dated 18.10.2007.

The applicant humbly requesting to the honorable court that the joint committee constituted by the N.G.T SZ is wontedly deviated this matter and submitted their report with full of fraudulent information with only intension of reduce the seriousness of this case and trying to protect the 8th respondent instead of doing their duties and at least they are not able to report on deviations made by the 8th respondent. The MOEF New Delhisubmitted these show cause notice to the honorable NGT on dated: 25.09.2021 along with their reply affidavit.

The applicant humbly requesting to the honorable court to please pass orders to implement the closure order of Mine-3 and plant as mentioned in the show cause notice dated: 5th .August.2021.

5) The applicant humbly submits that based on the evidences the applicant made a complaint **(Annexure-2 page no 7 to 8)** with subject: cancellation of Environmental Clearance and forest clearance of Bhavanipuram Limestone Mine (ML3:183.11 ha) with production capacity from : 0.3 MTA to 2.3MTA of Limestone by M/S Deccan Cements Limited, located at village Ravipahad,mandal Nereducharla, District Nalgonda, Telangana State-Reg, To The

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Director, Ministry of Environment, Forest and Climate change, impact

Assessment Division, Indira Paryavaran Bhavan, Vayuwing, 3rd floor, Aliganj, Jorbagh Road, NEW DELHI-110003, dated: 26.10.2017, reported all the illegalities of 8th respondent on the mine lease-3, extent of 183.11 hectares, in this regard **the Ministry given 24 reminders to the State P.C.C.F and the D.F.O suryapeta to submit factual and compliance report on the complaint** made by the applicant but there is no reply given from the P.C.C.F Telangana and District forest officer suryapeta till now.

The applicant humbly requesting to the honorable N.G.T court please pursue all the above evidences and officers negligence to submit factual report to the honorable N.G.T Court, and consider it as professionally dishonesty of the officers and issue the directions to cancel the Environmental clearance and forest Clearance of M.L-3 and punish on the illegalities done by the 8th respondent.

(D) Violations and procedure lapses done by the 8th respondent in mine-2 extent of 73.93 hectares which belongs to the saidulnama reserve forest comp no 27.

1. The applicant humbly submits that the 8th respondent obtained stage-1 forest clearance for mine-2 extent of 73.93 hectares in compartment no-27 saidulnama reserve forest west while Nalgonda district, Andhra Pradesh state. Now in suryapeta district Telangana state in the year of 1997 for 20 years of lease period.
The stage-2 clearance were obtained on dated 23.02.1998 (**Annexure-8 page no 68 to 69**). In the stage-2 clearance some of specific conditions that needed to be strictly complied by the 8th respondent as per stage-2 forest clearance
2. The state government also pass orders on dated 05.05.1998 through diverting the 73.93 ha of reserve forest land in compartment no-27 of saidulnama reserve forest with subject to some conditions according to FC ACT 1980, some of the conditions specified in the order are ;
 - The compensatory afforestation land shall be raised over equaling non-forest land / at the project cost. The non-forest land identified for compensatory afforestation will be notified as protected forest under the Indian forest Act 1927.
 - The lease period will be 20 years co-terminus with lease under MMRD Act.
 - Construction of permanent buildings and roads will be not allowed in diverted reserve forest land which is only for captive mining purpose. The diverted reserve forest land shall not be used for any purpose other than the specified in the proposal.

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- Any other condition that the state government may impose from time to time for the protection and improvement of flora and fauna in forest area.
3. The mine lease agreement signed by the forest department and user agency on dated 30th may 1998 and handed over the forest land for mining purpose with co-terminus.

The applicant humbly submits the violation of the 8th respondent in the issue of handed over compensatory afforestation land as below.

- **Non hand over the Compensatory afforestation Land of 44 hectors in survey no-540 gurambodu village out of 73.83 hectors of Mine lease-2 (Extent of-73.83 hectors).**

- 1) The 8th respondent offered the compensatory afforestation land extent of 73.93 ha at two different places i.e. 1st one is 44 hectors in survey no 540/RC situated in gurambodu, peddaveedu revenue village, mattampalli Mandal, Nalgonda district. And 2nd one is 29.80 hectors of CA land at Nambapur village, P.A pally Mandal, Nalgonda district.
- 2) The applicant humbly submits that the C.A land extent of 44 ha which was offered by the 8th respondent in Survey no:540 gurambodu , pedaveedu village , mattampally Mandal, Nalgonda ,but there is no land owned by the 8th respondent in the field and this issue not verified physically by the forest officials at that time , the 8th respondent submitted a fraudulent GPA papers intentionally to the government officials, but on basis of good faith on the 8th respondent the government officials are submitted mutation and charge certificate and they accepted the litigant land as compensatory afforestation without physical verification .
- 3) The Applicant humbly submits that as per the **Rc No: 4716/89/S1,(S5) (VOL.IV), Dated 01.04.2002,((Annexure-9 page no-70)**stated that C.A land offered by the 8th respondent at survey number : 540 of gurrambodu,peddaveedu revenue village is under dispute and the 8th respondent submitted a fraudulent G.P.A papers intentionally in this regard it is submitted that based on the reports of the Divisional Forest officer, Flying squad Party, he have filed a complaint with sub-inspector of police Mttampally and Superintendent of Police Nalgonda **(Annexure-9A page no-71)**against the fraudulent action in registering C.A Land based on Fraudulent G.P.A papers vide this office reference no: 4716/89/S1,(S5) Dated on

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: 26.03.2002.as the user agency have offered alternative C.A Land Elsewhere he request the Conservator of forest , Hyderabad Circle, Hyderabad to kindly issue necessary instructions in the matter on the representation of User agency that Deccan Cements limited dated: 25.03.2002 for taking further action.in this case the 2nd C.A land situated at Nambapuram village, P.A pally Mandal, Nalgonda district offered by the user agency extent of Acres : 74.20 cents (29.20 hector) is cleared so the divisional forest officer is stated that the user agency should restrict their mining activities in Acres : 74.20 cents (29.20 Hectors) only out of 73.93 hectares for Mine-2, until the handover of alternative Compensative afforestation land . the 8th respondent also committed to arrange alternative C.A land and given one representation by the 8th respondent(**Annexure-10 page no-72**) stated that until the arrange of alternative C.A and they will restrict their mining activities in Acres of : 74.20 cents only, but they don't stands on their commitment and continued their violations without any regrets, In this connection the Divisional Forest Officer, Nalgonda issued Final Notice to the 8th Respondent through RC No: 4716/89/S1 (S5) Dated: 15.08.2005,(**Annexure-11 page no 73 to 75**), RC no 6645/1993/D1.Dated : 04.03.2006 and FOA/11.1/127/AP Dated : 26.09.2007.Also stated that look in to the seriousness of the matter and handover the alternative compensative afforestation land immediately. Even After this Final notice the user agency did not handed over any alternative land ,and this issue was found again in the year of 2013 **Report of the Comptroller And Auditor General of India on Economic Sector for the year Ended March-2013/Government of Andhra Pradesh Report No:3 of 2014** .(**Annexure-12 page no 76 to 78**)stated that Diversion of 73.93 hectares of reserve forest land in Compartment Number: 27,saidulnama reserve forest, Nalgonda district in favor of Deccan Cements limited, out of the 73.93 hectares 43.909 hectares is not handed over since 15 years 4months.

4) The Applicant humbly submits that this dispute has not been cleared till date since 1998.and there was so many correspondences between different designated officers of the Forest department and many of remainder also given to the 8th respondent from the forest officials to clear this dispute but the user agency neglected and ignored the remainders and failed to compile the Forest Clearance Conditions since: 1998 to till date.

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Therefore all the mined out quantity of limestone by the 8th respondent from mine-2 since -2000 is considered as illegal.

5) The applicant submitted all the evidences regarding this matter to the joint committee members but due to the special intensions in favor of towards the 8th respondent, the joint committee simply reported to the honorable N.G.T that the C.A land is handed over by the 8th respondent to the forest department without any deviations, and submitted a documents to the honorable court which the documents have already been confirmed as false documents and the user agency has also agreed. The joint committee never submitted the factual details in this issue and tried to misguide the honorable N.G.T.

The applicant humbly request the honorable N.G.T to take cognizance of the above fact.

6) The applicant humbly submits the letter R.C No: 4317/S5/99,dated: 25.04.2000 (**Annexure-13 page no-79**) stated that the 8th respondent is requested to submit the compliance report asper conditions of in principal approval whether the diverted land of -73.93 hectores of forest land is under use or not . As per GOI MOE&F new Delhi LR.Number.4-2/-99-FC (PT) dated .31.08.1999, compliance report of conditions of in-principal approval is not submitted with in two years' time period from date of receipt of the order .thus the order (I.E., In-principal) will automatically stand REVOKKED further in case of non – use of forest land (for the purpose of for which it was diverted) within period of two years from the date of issue of final order the order stands **Automatically REVOKED** the year -2000 itself. But the 8th respondent failed to submit the compliance report in the stipulated time and in fact it was never submitted till date for mine-2. The applicant humbly submits the internal correspondence letter between the principal chief conservator of forest; Head of Forest force and the D.F.O Suryapeta with R.C Number: 13110/2002/FCA5 (i) on dated: 05.06.2017,**(Annexure-14 page no-80 to 81)**.the P.C.C.F (H.O.F.F) Telangana invited the attention of D.F.O suryapeta as the compliance or monitoring report of the diverted -73.93 hectores of forest land is not received even after lapse of almost 19years through the letter as the letter R.C No: 13110/2002/FCA5 (i) on dated: 05.06.2017,proves that the compliance report was not received, the order for the

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diversion of -73.93 hectares of forest land stands Automatically Revoked according to the GOI MOE&F, New Delhi Lr Number: 4-2/99-FC(PT), Dated : 31.08.1999. The mining done in the mine-2 area of 73.93 hectares is all illegal since the year -2000.

7) The applicant humbly submits another letter of internal correspondence between the P.C.C.F; H.O.F.F, Telangana and conservator of forests, Khammam with R.C No: 110981/2002/FCA5 (i) the letter clearly states that the non-forest land taken over for compensatory afforestation at survey no-540 of gurambodu village and Nambapur village has not been notified as protective forest or reserve Forest. The letter also points out that the information submitted by the D.F.O Suryapeta is lacking and orders the conservator of forest, Khammam to look in to this matter personally. The applicant humbly request the honorable N.G.T To take cognizance of the fact that the D.F.O Suryapeta is professionally inefficient and was found neglecting his duties by colluding with the 8th respondent.

8) The applicant humbly submitted that the D.F.O Suryapeta is simply reporting in the joint committee report that the 8th respondent has given C.A Land to the forest department and showing the charge certificate and mutation certificate, which is already declared that the submitted documents are fraudulent as per the above correspondence. But here the D.F.O should answer to the Honorable Court to that if the C.A land given by the 8th respondent why these land not notified till now? And why 8th respondent was requested to give some to offer alternative C.A land in favor of Forest department again?

9) The applicant humbly prays the Honorable N.G.T to take action against the officers who are supporting this kind of illegalities under the provision of F.C.Act-1980, and Forest Conservation Rules -2003 Guidelines and clarifications with R.C No: F.No: 5-2/2017-FC, GOI, MOE&F, for the Effective and transparent implementation of the provisions of Forest conservation Act-1980. Section-3B/2nd paragraph (offence by the authorities and government departments) says are withstanding anything contained in sub-section (1), were an offence punishable under the Act has been committed by a department or any authority referred to in clause (B) of Sub-Section-1 and it is proved that the offence has been committed with the consent

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or the connivance of, or is attributable to, or any neglect on the part of any officer, other than the head of the department or in the case of an authority, any person other than the persons referred to in clause (b) of sub-section(1), such officer or persons shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

• **Illegal and Excess Mining in the Mine Lease -2 Extent of (73.83 hectares)**

1) The applicant humbly submits that the 8th respondent violated the specific conditions of Environmental Clearance vide. No; J-11015/642/2007-1A, dated: 18.10.2007 (**Annexure-14 page no-82 to 86**) and operating ML-2 extent of -73.83 hectares and ML-3 simultaneously, according to the E.C vide. No; J-11015/642/2007-1A, dated: 18.10.2007, ***the mining activities Mine-3 (ML area of -183.11 ha) shall begin only after the Bhavanipuram Limestone Mine-2 (ML-2 area 73.93 ha), adjacent to this mine, has exhausted its mineable Ore.*** It means there is no chance to operate both mines simultaneously. But the 8th respondent clearly violated this specific condition of Environmental Clearance vide. No; J-11015/642/2007-1A, dated: 18.10.2007, and the joint committee agreed this violation in report dated: 13.08.2020, submitted to the honorable N.G.T.

2) The applicant humbly submits that, According to the joint committee report submitted to the honorable N.G.T dated: 13.08.2020; the amount of limestone extracted from the Mine-2 (ML Area: 73.93 Ha) is given as reported by the assistant director of mines and geology, suryapeta in page no: 5 table-1 of the report.

Table 1 from Page: 05 (Mine-2)

Name of the Year	Approved Production in MT	Actual Production in MT
2015-16	18,01,508	13,65,000
2016-17	11,13,009	14,30,000
2017-18	3,00,420	11,25,000
2018-19	12,00,544	12,02,800
2019-20	12,00,195	3,20,000
Total	56,15,676	54,42,800

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Table 1 from Page: 07

Year	Mine-2 production in MT	Mine-3 production in MT
2013-14	13,72,000	Nil
2014-15	13,07,500	1000
2015-16	13,65,000	2,29,400
2016-17	14,30,000	1,81,000
(Up to date of 04.01.2017)		

3) The applicant humbly submits that, as per above table Mine-3 production started in the year of -2014-2015, so Quantity of Limestone produced from Mine-2 from the year of 2014-2015 to 2019 is all illegal as per the specific condition mentioned in Environmental clearance vide. No; J-11015/642/2007-1A, dated: 18.10.2007, and per the above report given by the joint committee the 8th respondent is exploited: 67, 50,300 MT (sixty seven lacks fifty thousand and three hundred) up to 2019-2020 only, in addition on above the mine-2 is in operation still now , in this connection 5th august 2021 the Ministry of environment, Forest and Climate Change (I.A Division) issued show cause notice as closure order of entire plant and Mine-3 with Letter no : F.No. J-11014/29/2021-IA-I (M) **(Attachment no-2)** to the 8th respondent.

4) The applicant humbly submits that, in the report of joint committee dated: 13.08.2020. The Telangana State Remote Sensing Application Centre has conducted E.T.S Survey on: 15.10.2019 to 31.10.2019 in the both mining lease areas of M/S Deccan cements LTD and submitted their report which is included in the joint committee report submitted to the honorable N.G.T court. In page no: 22 of joint committee report as per the E.T.S Survey A total quantity of 1, 95, 86,399.213 (one crore, ninety-five lacks, eighty-six thousand and three hundred ninety-nine) MT of Lime stone was extracted from the Mine Lease area-2 (extent of: 73.93 hectors) in compartment no: 27 of saidulnama reserve forest **(Annexure-16 page no-91 to 93)** with letter no 1879/M2/1999 Dated: 25.02.2020.

The total quantity of lime stone extracted from Mine Lease -2 is illegal according to the Forest Conservation Act-1980, due to non-handed over of CA land; Due to non-Submission of Compliance reports; and specific conditions of Environmental Clearance vide. No; J-11015/642/2007-1A, dated: 18.10.2007 (Annexure no-15 page no -82 to 86). And now the mine lease -2

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forest clearance co-terminus is expired on -05.05.2018 but the mine-2 is still in operation without valid Forest Clearance from the 05.05.2018 for this issue the D.F.O suryapeta was saying that the 8th respondent is paying N.P.V for the lease area so without getting forest clearance also the mine can be operate .

- **Construction of permanent buildings and roads will be not allowed in diverted reserve forest land which is only allotted for captive mining purpose. The diverted reserve forest land shall not be used for any purpose other than the specified in the proposal.**

1) The applicant humbly submits that Dr, Chandra, B. Malasi Addl, Prl. Chief Conservator of forest, (FCA-M) O/o the principal chief Conservator of Forests Andhra Pradesh, Hyderabad. In his field inspection notes dated on: 08.10.2013, stated that there is three temporary roads were constructed within the lease area. As seen from Google Imagery of 2002, these roads were constructed in violation of the Forest Conservation Act: 1980, in these three roads **one of the road is laid after constructing an earthen bund and this road is continuing within the factory premises by constructing a similar road on an earthen bund. From this road, extracted limestone is taken from the broken up area directly to the crusher site. No permission was granted for such a earthen bund road in approval orders. Hence, this road is illegal and it is in violation of the approval conditions and this road has to be dismantled immediately. Another two roads were constructed between survey station number 18 to 20 and these roads are leading to the gate of the factory which is directly opening in the leased area between survey stations no: 7 to 8. These roads are used for transportation of cement from the factory.as could be seen from the utilization of the diverted area near the factory gate between survey station number: 7 to 8, the area is utilized for truck parking and maintenance of transport vehicles in the past as about: 2.00 hectares area is completely blackened and boundary pillars at 20.00 meters intervals around the forest area diverted for railway sliding leading**

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to the factory gate are missing in the portion. It is also evident from Google imagery of: 2013. Hence the major road which is leading to the factory gate through the diverted forest area between survey station number; 7 and 8 shall be closed and sealed immediately. The third road shall be allowed to be used for transportation of extracted limestone from the lease area to the main tar road and then take it in to the factory from their entry road for which forest area was also diverted.

The applicant humbly submits that as per the above correspondence the 8th respondent has violated the principal approvals and forest conservation Act: 1980 intentionally, and still the 8th respondent is utilizing the Roads which constructed illegally in the diverted forest area .now the applicant humbly requesting the honorable N.G.T to pass the necessary orders to implement above directions that the three roads to be dismantled and sealed an open area in diverted forest land as per the Prl.Chief Conservator of forest, (FCA-M) O/o the principal chief Conservator of Forests Andhra Pradesh, Hyderabad. In his field inspection notes dated on: 08.10.2013.

• **Co-terminus (forest clearance) for Mine Lease -2 Extent of - 73.83 hectares.**

1) The applicant humbly submits that in the report submitted by the joint committee to the honorable N.G.T court on dated: 18.03.2021 page no: 2; it is stated that the project proponent has obtained the deemed extension (or) renewal of Mining lease for Mine-2 extent of: 73.83 hectares, for a period that is co-terminus with the period of mining lease granted under Mines and Minerals (Development and Regularization) Act -1957 up to the 08.02.2050. Hence the issue of back filing of ML-2 doesn't raise now.

2) The applicant humbly submits the letter written by the D.F.O Suryapeta on dated: 25.08.2018, with RC.No: 3242/2017/S1, **(Annexure no-17 page no-94)** to the 8th respondent in that letter the D.F.O Suryapeta stated that "as per the agreement between 8th respondent and forest department the lease period is expired on dated: 05.05.2018, and stated that there is no proposal submitted by the 8th respondent for renewal of the Forest Clearance till

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25.05.2018. And the D.F.O suryapeta is directed 8th respondent to filing to submit the detailed compliance report on this issue within a one month period (i.e. by the end of September 2018) then all the mining activities will be stopped immediately and necessary action will be initiated as per Forest Conservation Act, 1980. And Telangana State Forest Act, 1967. in this connection on The dated :- 12.09.2018 one letter has been written by the 8th respondent that M/S Deccan cements limited (**Annexure no-18 page no-95**) under signed by **Shri : G.R.Ramu (Senior vice-president works)** to the respected P.C.C.F Principal Chief Conservator of forest (H.O.F.F) Aranyabhavan Hyderabad has **requested to the D.F.O Suryapeta that no Coercive steps should be taken as a subject mines is under operation and it is implies that , it's clearly violation of the Forest Conservation Act Section -2 para no-2.2 (iv) of guidelines of Forest Conservation act-1980. The renewal proposal should be submitted by the user Agency that is M/S Deccan Cements Limited Bhavanipuram one year prior to date of expire of existing lease and process the proposal should be submitted to the Government of India by the State Government that is Government of Telangana at least 6months prior to the expire of existing lease date**, But the proposal are not submitted by the user agency (Deccan Cements Limited) to the state government till the date of : 25.08.2018, it has clearly stated in the letter Rc no: 3242/2017/S1, the District Forest Officer suryapeta Mr. Mukundha Reddy to Deccan Cements limited and he is clearly instructed the user agency (Deccan cements Limited) to stop the all mining activities immediately in the Mine-2 area and necessary action will be initiated asper the Forest conservation act-1980.

The applicant submits that It is clearly the above para construe that the user agency (Deccan Cements limited) fully Violated of Forest Conservation act-1980, section-2 para no: 2.2 (IV) and here with we are enclosed office memorandum of Ministry of Environment, Forest and Climate change (**Annexure no-19 and 20 page no-96 to 99**). since then herewith the 8th respondent M/S Deccan cements limited not obtained fresh forest clearance for Mine Lease Area -2 extent of 73.83 hectors, along with co-terminus of the mining lease Under M.M.D.R Act -1957 with Amendment 2015, and the 8th respondent is operating the Mine Lease -2 extent of 73.93 hectors without valid Forest Clearance.

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3) The applicant humbly submits that in the letter written by the D.F.O Suryapeta on dated: 25.08.2018, with RC.No: 3242/2017/S1, **(Annexure no-18 page no-94)** to the 8th respondent in that letter the D.F.O Suryapeta stated that "as per the agreement between 8th respondent and forest department the lease period is expired on dated: 05.05.2018, and also recommended to the 8th respondent to get clarification on which date will be taken for the consideration of calculation to expire date of Mining lease.

Whether the date of agreement entered between the User Agency and D.F.O (or) the agreement entered between the User agency and Mines department is to be taken is not specified clearly

4) The applicant humbly submits in the comprehensive monitoring report submitted by the D.F.O Suryapeta to Conservator of Forests, this issue was recognized clearly in this report stated that as mentioned below.

In: Issue-III (Mining lease period Co-terminus with the period of mining lease granted under MMRD Act).

- I) Final approval for diversion of forest land is accorded by MOEF&CC vide letter dated: 23.02.1998 & by state government .vide GO MS No.51 dated 05.05.1998.
- II) Condition no (IX) stipulated that ***the mining lease period will be for a period of (20 years) co-terminus with the lease granted under MMRD Act.***
- III) The 8th respondent has informed that the forest lease Agreement was entered on dated: 30.05.1998.and the mining lease entered on dated: 09.02.2000. further , it has been informed that the RO,MoEF&CC , GOI, Chennai has inspected the project site and has been informed by the regional officer that the Forest lease agreement under MMRD Act, and in support of this user agency has given guidelines dated: 26.04.2004 issued by the MOEF&CC,GOI.
- IV) In the said guidelines dated: 26.04.2004 **(973/CF)**, the GOI has issued the following clarification:
 ,,,, the central Government, in order to remove the anomaly as mentioned above, has taken a decision to extend /reduce the period of diversion of forest land, earlier granted by the MoEF under the said Act to various mining leases which are falling short of or exceeding the period of mining lease granted under the MMRD Act to make it co-terminus with the period of mining lease granted under the MMRD Act..."

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- V) The GOI has also requested to send detailed proposals to the Ministry seeking approval under the central Govt.U/S-2 of the FC Act for the period of mining lease granted under MMRD Act.

In this regard it is submitted that as per para 2.2 (IV) of guidelines of F.C Act-1980 , the renewal proposal should submit by the user agency one prior to the date of expiry of existing lease and processed proposal should be submitted to GOI by state government ,at least 6months prior to the expiry of the existing lease,

It is not clearly specified in the said guidelines as to which date is to be taken into consideration for calculation of expiry date of an approved mining lease.

GOI MOEF New Delhi vide letter dated: 13.02.2014 has communicated a copy of the order of the National Green Tribunal ; New Delhi Dated: 24.01.2014, in application number 123 of 2013, filed by **Prafulla samanthara V/S Union of India and others** and requested to take further action in the matter.

The gist of the orders is that "non-Forestry activity can be carried out in the forest area only after receipt of the state government orders in terms of section-2 of the F.C Act-1980 and the approval issued by the central government is not an order contemplated U/s-2 of the F.C Act-1980.

Whether the date of agreement entered between the User Agency and D.F.O (or) the agreement entered between the User agency and Mines department is to be taken is not specified clearly. The various possibilities in this particular case is as follows;

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Date	Date of Expiry	Date of Renewal proposal to be submitted by U/A	Remarks
State Government sanction orders dated : 05.05.1998 (as per the N.G.T Orders)	05.05.2018	05.05.2017	Renewal proposal not yet submitted. As mentioned against issue -II, the proposals for deemed extension up to 2050 is pending with the GOI the U/A needs to submit renewal proposals.
Date of agreement between U/A and D.F.O dated: 30.05.1998.	30.05.2018	30.05.2017	
Date of agreement between U/A and Mines department dated: 09.02.1998.	09.02.2020	09.02.2019	In this date is taken into the consideration then the U/A can proposal upto:09.02.2019

The applicant humbly prays that the honorable N.G.T to take stringent action against the 8th respondent illegalities and cancel the all Environmental Clearances, Forest clearance and Consent for operation. And impose fine for the illegal mining activities according to M.M.D.R guidelines up to maximum extent. And all the mined out areas are to be backfilled (or) Reclaimed by the user agency as soon as possible and handed over back to the Forest department.

5) The applicant humbly submits that a complaint was also raised at the special secretary to Government of (forests) EFS&T Department Telangana, state, by the applicant, Mr. Vakkanti Koteswar Rao requesting to stop the all mining activities and take legal action on illegal mining activities by the 8th respondent on dated: 08.02.2021. (Annexure), but till now there is no action has been taken on the illegalities.

6) The applicant humbly submits that all above dates are expired at present that i.e.: 30.05.2018 (asper the forest department agreement) and 09.02.2020 (asper mines department agreement) but still the mine is in operation without valid Forest Clearance after the above dates.

The applicant humbly request the Honorable N.G.T to take consider all above evidences produced by applicant and issue the

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directions to stop mining activities and initiated to the reclamation immediately as per mine closure plan of Mine lease area - 2 extent of: 73.83 hectares.

The applicant humbly requesting to the honorable N.G.T to pursue all the evidences regarding the violations done by the 8th respondent in Mine Lease -2 extent of (73.83 ha) and issue the orders to impose Fine on illegal, excess mining activities and pass the directions to cancel all the permissions and leases of Mine Lease -2 area extent of: 73.83 hectares and instructions to be passed to the 8th respondent for the reclamation or backfilling on exploited area as per the mine closure plan as immediately.

(E) Violations and procedure lapses F.C Conditions done by the 8th respondent in mine-1 extent of 22.75 hectares belongs to the saidulnama reserve forest comp no 27.

- 1) The Divisional Forest Officer, Krishna Division, Vijayawada, Government of Andhra Pradesh, addressed a letter dated 30-9-2007 vide Rc.No.945/05-V6 to the Divisional Forest Officer, Nalgonda, requesting to issue a notice to M/S Deccan Cement Limited, Hyderabad for transferring of C.A. land in R.S.No.22 to 23 of Tripuravaram Village over an extent of 22.55 Hs immediately in favor of Forest Department i.e. Divisional Forest Officer, Krishna Division, Vijayawada. But the CA land has not been handed over to the D.F.O., Krishna Division by the 8th respondent till. **(Annexure no-21(A) page no-102)** And the DFO, Nalgonda not taken any action against the 8th respondent and at the same time the mine has completely excavated as on 2000 without the beginning any reclamation works done and handed over the forest department.
- 2) The Applicant humbly submitted that the 8th respondent violated Forest Clearance specific conditions and implementation of mine closure plan of the Mine Lease-1, extent of 22.5 hectares of reserve forest land compartment number: 27, Janapahad section, the Mine lease-1 total quantity of limestone is already exhausted in the year: 2000,

The applicant humbly requested that the exhausted mine should be reclaimed (or) back filled, The reclamation plan as stipulated in the F.C conditions has not been carried out

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properly and also the mine has not been closed properly as per the I.B.M approved mine closure plan, proper sloping has not been provided to the mined out area. The plantation carried out as part of the reclamation work has not been done since last 20 years and also deviations discussed above were confirmed in the F.NO.F(C)A/11.1/64/AP/4/11(85)/90/(P)/1374 dated 04.07.2016 by deputy conservator of forests (Central) to the principal secretary to the government of Telangana State **(Annexure no-21 Page no-100 to 101).**

The applicant submitted that, Ministry of Environment, Forest and climate change (impact Assessment Division) issued an office memorandum on dated: 16.01.2020 with F.No.22-34/2018-IA.III stating that during the mine closure the respective user agency should undertake re-grassing the mining area and any other area which may have been disturbed due to a condition which is fit for growth of fodder, flora, fauna etc.. This was done considering the honorable supreme court vide order: 08.01.2020.

The applicant humbly submitted that In W.P (civil) No 114/2014 in the matter of common cause vs. Union of India. (Office memorandum & Supreme Court order).

The applicant humbly submitted that to take cognizance of the matter immediately , and take legal action for neglecting the conditions for the last 20 years and also to make sure the conditions are compiled by the 8th respondent (Deccan Cements Limited) Bhavanipuram immediately,

- 3) The applicant humbly submitted that the joint committee reported to the Honorable N.G.T Court on dated: 18.03.2021, stated that the reclamation work and regressing work as per the mine closure plan is taken up by the 8th respondent, and submitted some photographs as evidences to the honorable N.G.T Court.

The applicant humbly requesting to the honorable N.G.T court to Issue the orders to the 8th respondent to submit the progress of the mine closure plan i.e.: what is the total volume of the mine pit and how much quantity is refilling daily or weekly and how much time is to be required to complete the

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implementation of the mine closure plan properly as per the specific conditions of Forestry clearance and I.B.M mining plan.

(F) Issues related to the Pollution and failure of environmental compliance and not maintaining the Greenbelt as per the E.C's (2007 and 2017) conditions by the 8th respondent as per the Environment protection Act.

- 1) The applicant humbly submitted that and made a complaint on the violations of the 8th respondent Pollution issues on dated: 23.02.2016, on N.G.T National Green Tribunal South zone Chennai, in this connection the joint committee imposed an Environmental Compensation Amount of: 28, 20,000 (Rupees twenty eight lacks twenty thousand) only, the applicant urging the Honorable N.G.T Court to reconsider the TCPCB in this matter and take a proper decision in the matter of Environmental Compensation Amount.
- 2) The applicant humbly submitted that as per the Environmental Clearance orders dated: 27.12.2007, and 11.05.2017, the green belt shall be developed in 33% of the project area within the plant premises, with at least 10mtrs wide Greenbelt on all sides along the periphery of the project area, along road sides etc.

The applicant humbly submitted that the joint committee reported to the honorable N.G.T court, that the 8th respondent has brought 16.4 hectors under green belt development by planting different type of trees in and around the Colony and cement plant areas out of the 18.5 hectors i.e. equal extent of the 33%, and the 8th respondent committed that remaining area will be planted during the next monsoon. So far, the industry has developed greenbelt of 18.5 hectors in the premises of the plant and colony there by meeting 33% of area.

But not fulfilled 10mtrs width wide along the periphery.

The applicant humbly requesting to the honorable N.G.T, the joint committee report submitted to the court on dated: 19.02.2021, the details of Green Belt submitted by the Committee to the Court are not true, Because in the area calculated for the Greenbelt the committee considered outside areas like Mango Garden, vegetable garden and their different

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gardens also taken in to the consideration those are not in the project area.

This is completely intentionally done by the joint committee, to diverting the court attention and hiding the actual status, However, the fact that there is not enough green belt to be in accordance as per rules and also there is no green belt in the areas where it is specified in E.C like 10mtrs width wide along the periphery.so the applicant humbly requesting to the honorable N.G.T Court to take consideration of the violations and issue the directions accordingly.

(G) Due to the dishonesty and negligence of Government Regulatory Bodies.

For the last 20 years the mere dishonest by the Government Regulatory Bodies, the 8th respondent committed all these irregularities, as state above, in collusion and active support of some employees and caused uncountable loss to the Environment and nature and National Economy.

It is therefore prayed that this Hon'ble NGT (SZ) may be pleased to pass orders:-

- i) To penalizethe concerned Regulatory Bodies & Authorities in the interest of justice.
- ii) To Directthe 8th respondent to vacate Reserve forest land land of 32.63 ha which is illegally encroachedand pass the orders to dismantlethe structures in encroached forest land either permanent or temporary as it is and handed over back to the forest department immediately .
- iii) Pass the orders to revoke the post-facto forest clearance of 8.02ha which is illegally encroached by the 8th respondent, and wontedly supported by the Telangana state P.C.C.F and Suryapeta D.F.O.
- iv) To pass the orders to cancel all Forest Clearances, Environment Clearances pertaining to Mine lease-3 (183.11 Hectors) Bhavanipuram Limestone mine.

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- v) Impose appropriate fine on the 8th respondent for the exploiting excess and illegal limestone mining at Mine Lease-2 (73.93 ha) and Mine Lease-3 (183.11 Ha),
- vi) Pass the directions to 8th respondent to start reclamation work of Mine lease-2 (73.93 ha) as per mine closure plan and handover the total area to the Forest Department immediately.
- vii) Pass directions to the 8th respondent to complete reclamation work of Mine-1. (22.11 Hectors) as per the mine closure plan and handed over the total land to the forest department immediately.
- viii) Pass orders to implement the closure order of Mine-3 and plant as mentioned in the show-cause notice of M.O.E.F New Delhi (I.A Division) dated: 5th .August.2021.

In the interest of justice pass such orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

N.G.T SZ (CHENNAI)

Dt. 4 -10-2021

VAKKANTI KOTESHWAR RAO

V. Koteswar Rao
(APPLICANT). 04/10/2021



F.No. J-11014/29/2021-IA-I (M)
Government of India
Ministry of Environment, Forest and Climate Change
(I.A. Division)

By Speed Post/Online

Indira Paryavaran Bhavan
Jor Bagh Road, Allganj
New Delhi-110 003
E-mail: shruti.rai@nic.in

Dated: 5th August, 2021

Sub: Show Cause Notice under Section 5 of Environment (Protection) Act, 1986-Project titled 'Bhavanipuram Limestone Mine-3 (ML area 193.1ha) at village Ravipahad Neredcherla Mandal, Huzur Nagar Taluk, Nalgonda Distt. in Andhra Pradesh (OA no. 33/2016 titled Vakkanti Koteshwar Rao Vs. Uol before NGT, Chennai) - reg.

Ref: Ministry's EC letter No. J-11015/642/2007-IA-II(M)pt dated 18.10.2007

Ministry's EC letter No. J-11015/375/2015-IA-II(M)pt dated 05.01.2017

WHEREAS, Environmental Clearance (EC) was granted to M/s Deccan Cements Ltd., for project titled 'Bhavanipuram Limestone Mine-3 (ML area 193.1ha) at village Ravipahad Neredcherla Mandal, Huzur Nagar Taluk, Nalgonda Distt. in Andhra Pradesh' vide letter No J-11015/642/2007-IA-II(M)pt dated 18.10.2007 and the subsequent EC letter J-11015/375/2015-IA-II(M)pt dated 05.01.2017 issued for 'Enhancement of Bhavanipuram Limestone Mine with production capacity from 0.3 MTPA of limestone by M/s. Deccan Cement Ltd. located at Village- Ravipahad Mandal-Neredcherla, District Nalgonda, Telangana (MLA: 183.11 ha)', subject to implementation of the various conditions and environmental safeguards contained therein, and

2. Whereas, the ECs for the project has been challenged in the OA no. 33/2016 titled Vakkanti Koteshwar Rao Vs. Uol before NGT, Chennai, wherein a Joint Committee has been constituted by the Hon'ble NGT, whose report is under examination by the Hon'ble NGT.

3. Whereas, the Order dated 19.08.2020 of Hon'ble NGT in the matter referred to the findings of the said Joint Committee on various issues which *inter-alia* include findings of the Committee on EC non-compliance. The same is as reproduced below:

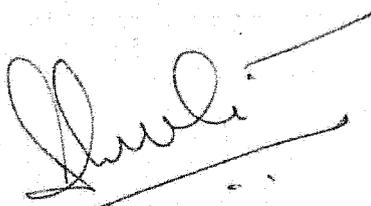
"It is observed that M/s Deccan Cements Ltd has violated the specific conditions III of MoEF No. J-11015/642/2007-IA-II(M)pt dated 18.10.2007 by conducting Mining activity in Mine-3 simultaneously with Mine-2 before exhaustion of mineable Ore of Mine-2 and produced Lime Stone 1000 MT in the year 2014-15, 2,29400 MT in the year 2015-16 and 1,81,000 MT in the year 2016-17 (Up to the date of 04.01.2017) i.e. before the date of Order issued by MoEF No. J-11015/375/2015-IA-II(M)pt dated 05.01.2017 for enhancement of Production capacity of Mine-3, the condition was relaxed in the next EC order dated 05.01.2017". (Non-compliance of **Specific Condition no. III of EC No J-11015/642/2007-IA-II(M)pt dated 18.10.2007**).

4. Whereas, the said project has been monitored by the Regional Office of MoEF&CC at Chennai on 24.10.2020 & 25.10.2020, wherein they have also observed that "the mining activity in ML-2 as well as ML-3 is being carried out simultaneously irrespective of the condition stipulated in EC letter J-11015/642/2007-IA.II (M) dated 18.10.2007 specifically stating that mining activity at Mine-3 at village Ravipahad shall begin only after the Bhavanipuram Lime stone mine-2 has exhausted its mineable ore" (specific condition no. iii of EC dated 18.10.2007).

5. In the above context, your attention is drawn to provision of Section 5 of the Environment (Protection) Act, 1986 which is as reproduced below:
"For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes power to direct-

- a. The closure, prohibition or regulation of any industry, operation or process; or
- b. Stoppage or regulation of the supply of electricity or water or any other service."

6. NOW, THEREFORE, you are directed to submit your response to why this Ministry shall not take action against you under the provision of Environment (Protection) Act, 1986 for the non-compliance of the environmental conditions mentioned above. You are advised to submit your reply within 30 (thirty) days of the receipt of this Notice failing which Ministry will be constrained to initiate action, as deemed fit and appropriate under the provision of Section 5 of the Environment (Protection) Act, 1986 and in the circumstances of the case with or without any further notice to the Project. In your response, it may also be clearly stated whether a hearing is required by the project proponent before a final order is passed by this Ministry. Further, this Show Cause is without prejudice to any other legal action which may be taken against you.



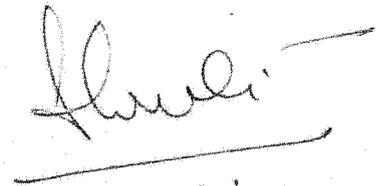
(Dr. Shruti Rai Bhardwaj)
Addl. Director/Scientist 'E'

To,

Director (Works),
Deccan Cements Ltd.,
Bhavanipuram,
Palakveedu Mandal,
Ravipahad (V),
Suryapet District, Telangana-508218

Copy to:

1. The Deputy Director General of Forests (C), Integrated Regional Office, Hyderabad (IRO Chennai), 3rd Floor, Aranya Bhawan, Opp. RBI, Safiabad-500004, Hyderabad, Telangana
2. The Deputy Director General of Forests (C), Integrated Regional Office, Chennai (IRO Chennai), 1st and 11nd Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai - 34
3. Principal Chief Conservator of Forests & Head of Forest Force, Rahman Bagh, Aranya Bhawan, Nalgonda district, Safiabad, Telangana-508001.
4. The Spl. Chief Secretary to the Govt., Environment, Forest, Science and Technology Department, Telangana, Secretariat, Hyderabad-500063.
5. The Member Secretary, Telangana State Pollution Control Board, A-3, Paryavaran Bhawan, Sanath Nagar Rd, Sanath Nagar Industrial Estate, Hyderabad, Telangana-500018.
6. Member Secretary, Central Pollution Control Board (CPCB), Parivesh Bhawan, East Arjun Nagar, Delhi-110032.
7. The Member Secretary (Non-Coal Mining), Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-03
8. Vice President (Works), M/s Deccan Cement Ltd., Mahankaligudem, Bhavanipuram, Neredcherla mandal, PO Janphad, Nalgonda District, Telangana-508218.



IMMEDIATE

**No.11013/32/2017-AVU
Government of India
Ministry of Environment, Forest & Climate Change
Vigilance Division**

Room No. 402, Level-IV, Agni Wing,
Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi – 110003

Dated the 4th December, 2017

OFFICE MEMORANDUM

Sub: Complaint made by Shri Vakkanti Koteswar Rao, Telangana – reg.

The undersigned is directed to forward herewith copy of a complaint of Shri Vakkanti Koteswar Rao, Telangana regarding cancellation of environment clearance and forest clearance of Bhavanipuram Limestone Mine with production capacity from 0.3 million TPA to 2.3 million TPA of limestone by M/s Deccan Cement Ltd. located at Village Ravipahad, Mandal:Nereducharla, Distt.-Nalgonda, Telagana. The complaint is self-explanatory.

2 Since the issues raised in the complaint related to environment clearance and forest clearance, it is requested to take appropriate action on the relevant issues raised in the complaint as per extant rules and informed the complainant accordingly, under intimation to this Division, **urgently**.


(Vazir Singh)
Under Secretary (Vigilance)

The Deputy Inspector General of Forests (FC),
(Kind Atten: Shri Naresh Kumar),
MoE, F&CC, Indira Paryavaran Bhawan,
New Delhi.

The Scientist 'G',
(Kind Atten: Shri Surender Kumar),
IA Division,
MoE, F&CC, Indira Paryavaran Bhawan,
New Delhi.

Encl: as above

✓ Copy to: Shri Vakkanti Koteswar Rao, Komatikunta (V), Palakaveedu (Mandal), Suryapet District - 508213, Telangana, it is requested that further communication in this regard may please be addressed to mentioned above.

F. No. 11-193/2017-FC
Government of India
Ministry of Environment, Forests & Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj
New Delhi-1100 03

Dated: ~~December, 2017~~
19.01.2018

To,

The Special Secretary to Government (Forests),
Environment, Forests, Science & Technology Department,
Government of Telangana State,
Hyderabad.

Sub: **Canellation of Environmental Clearance and Forest Clearance of Bhavanipuram Limestone Mine (ML: 183.11) with production capacity from 0.3 million TPA to 2.3 million TPA of limestone by M/s. Deccan Cement Limited, located at village Ravipahad, Mandal: Nereducharla, District, Nalgonda.- regarding.**

Sir,

I am directed to enclose herewith a copy of the letter dated 26.10.2015, as received from Shri Vakkanti Koteswar Rao, Komatikunta (V), Palakaveedu (Mandal) Suryapet District, Telangana State, requesting for cancelation Forest Clearance (FC) for diversion of 183.11 ha. forest land in favour of M/s. Deccan Cement Ltd., Hyderabad for their limestone mining project located in compartments No. 26 & 27 of Saidulnama Reserved Forest of Nalgonda Forest Division in Nalgonda district of Andhra Pradesh, due to Violation of Rules, Act and specifi conditions of the Government of India.

Accordinlgy, the State Government is requested to kindly enquire into the matter, take necessary action, and submit a para-wise report to this Ministry at the earliest.

Encl.: As above

Yours faithfully,

(Nisheeth Saxena)

Sr. Assistant Inspector General of Forest (FC)

Copy along with a copy of the said letter to:

1. The Principal Chief Conservator of Forests, Government of Telangana, Hyderabad, for information and necessary action as appropriate.
2. The Nodal Officer, under the FCA, 1980 O/o the PCCF, Government of Telangana, Hyderabad, for information and necessary action as appropriate.
3. The APCCF (C) Regional Office (SEZ) Chennai with a request to kindly inspect the area in the light of complaint received (**copy enclosed**) and submit a detailed report in this Ministry for further necessary in the matter.
4. Shri Vakkanti Koteswar Rao, Komatikunta (V), Palakaveedu (Mandal) Suryapet District, Telangana State, for information
Stand file.

//By Reg. post.Ack.Due//

GOVERNMENT OF TELANGANA
OFFICE OF THE DISTRICT COLLECTOR: NALGONDA

From
Dr.Gaurav Uppal, IAS.,
District Magistrate &
Collector, Nalgonda.

To
The District collector,
Suryapet.

Letter No. C3/479/2018

Dated:27.01.2018.

Sir,

Sub:-Issue of complaint made by Sri Vakkanti Koteswar Rao, Komatikunta (V). Palakaveedu (M), Suryapet District, Telangana against M/s Deccan Cement Ltd., located at Ravipahad (V), Nereducherla (M)- forwarded from Ministry of Environment, Forest and Climate Change Impact Assessment Division, New Delhi-Reg.

Ref: Office Memorandum No. J-11015/94/2017-IA-II(M) from the Ministry of Environment, Forest and Climate Change Impact Assessment Division, New Delhi, Dt: 11.01.2018.

I invite attention to subject and reference cited, wherein the Ministry of Environment, Forest and Climate Change Impact Assessment Division, New Delhi has forwarded a copy of the Complaint made by Sri Vakkanti Koteswar Rao, Komatikunta (V), Palakaveedu (M), Suryapet District, Telangana regarding cancellation of environment clearance and forest clearance of Bhavanipuram Limestone by M/s Deccan Cement Ltd., located at Ravipahad (V), Nereducherla (M), for factual report in this regard. The Ministry directed to submit the factual report within (2) weeks.

On verification of the complaint made by Sri Vakkanti Koteswar Rao, R/o Komatikunta (V), Palakaveedu (M), Suryapet District, Telangana it is observed the said subject matter is pertain to Suryapet District.

In view of the above, I am sending herewith the original reference together with its enclosures received from the Ministry of Environment, Forest and Climate Change Impact Assessment Division, New Delhi for taking further necessary action in the matter.

Encl: As above.

Yours faithfully
Sd/-N.Kheemya Naik
For District Collector
District Revenue Officer
Nalgonda.

//Attested//

Superintendent

Copy submitted to the Scientist 'G'/Adviser, the Ministry of Environment, Forest and Climate Change Impact Assessment Division, Indira Paryavaran Bhavan, Vayu Wing, 3rd Floor, Aliganj, Jorbagh Road, New Delhi-110003 for information.

Copy to Sri Vakkanti Koteswar Rao, R/o Komatikunta (V), Palakaveedu (M), Suryapet District for information.

**GOVERNMENT OF TELANGANA
FOREST DEPARTMENT**

Rc.No. 3456/2014/FCA-5
Dated:19/03/2020.

O/o Prl. Chief Conservator of Forests,
"Aranya Bhavan", Saifabad,
Telangana, Hyderabad

Smt. R.Sobha, IFS,
Prl. Chief Conservator of Forests
(Head of Forest Force) (FAC)

Sub: TSFD - FCA - Diversion of 183.11 Ha. of Forest Land, in Compt Nos.26 & 27 of Saidulanama Reserve forest of Nalgonda Division for limestone mining, in favour of M/s Deccan Cement Limited, for a period of cotermus with lease to be granted under MMDD Act, subject to a maximum period of 30 years - extension of further period - for clarification and further orders - detailed report requested - Reg.

- Ref:**
1. GOI, MoEF, F.No.8-85/2010-FC, Dt.13.09.2013
 2. GoMs.No.85, EFS&T (For.I) Dept., Dt.09.10.2013
 3. PCCF Rc. No. 31015/2007/FCA-(i), dt 09.09.2017
 4. R/o Sri Venkkanti Koteswar Rao, Suryapet District, dt. 26.10.2015.
 5. PCCF RC. No. 3456/2014/FCA-5, dt. 15.11.2017
 6. GOI, MoEF & CC, Chennai, F.No. EP/12.1/16/Misc/201718/TE/1935, dt. 30.11.2017
 7. PCCF Rc. No. 3456/2004/FCA-5, dt. 12.12.2017
 8. GOI, MoEF & CC, R.O. Chennai, F.No. EP/12.1/16/Misc/201718/TE/0100, dt. 18.01.2018
 9. PCCF Rc. No. 3456/2004/FCA-5, dt. 27.01.2018
 10. GOI, MoEF & CC, (Forest Conservation Division), New Delhi, F.No. 11-193/2017-FC, dt. 19.01.2018.
 11. PCCF Rc. No. 3456/2014/FCA-5, dt. 10.02.2018
 12. Govt. Memo No. 1312/For.I(1)/2014, dt. 19.2.2018
 13. PCCF., Rc. No. 3456/2014/FCA-5, dt. 05.03.2018
 14. Govt. Memo No. 1312/For.I(1)/2014, EFS&T (For.I) Dept, dt. 31.03.2018
 15. PCCF., Rc. No. 3456/2014/FCA-5, dt: 19.05.2018, 04.09.2018, 13.12.2018, 14.03.2019, 19.6.2019 & 17.09.2019.
 16. Dy.DG(F)(I/C), GoI, MoEF&CC, R.O. Chennai, F.No. EP/12.1/16/Misc/2017-18/TE/1684, dt. 17.10.2019
 17. PCCF's D.O. Lr. No. 3456/2014/FCA-5, dt.02.11.2019.
 18. Govt. Memo. No. 1312/For.I(1)/2014, EFS&T |(FOR) Dept. Lr. Dt. 15.10.2019.
 19. PCCF Rc. No. 3456/2014/FCA-5, dt. 23.11.2019
 20. The Director (WORKS), M/s Deccan Cements Limited, Lr. No. DCL:02/20/ML-FL, dt. 14.02.2020
 21. G.M. No. 1312/For.I(1)/2014, dt. 17.02.2020

Attention of the District Forest Officer, Suryapet is invited to the references cited, wherein vide references 5th, 9th, 11th, 13th, 15th, 17th & 19th cited, wherein the District Forest Officer, Suryapet was directed to go through the representation of Sri Venkkanti Koteswar Rao, Suryapet made vide reference 4th cited and submit a detailed report after conducting site inspection and also conducting enquiry into each of the points made in the application to this office within a fortnight, along with information as called for vide reference 3rd cited.

P.T.O.

::2::

Further, vide reference 7th cited, while communicating the GOI, reference 6th cited, the District Forest Officer, Suryapet was requested to examine the issues raised in the aforesaid representation and furnish the factual status report on the alleged violation referred therein to this office. Further, vide references 8th, 10th 12th & 14th cited, the GoI and the State Government have reminded this office to submit the report within (15) days. Accordingly District Forest Officer, Suryapet was requested to examine the issue and furnish the report to Government immediately, for taking further action in the matter. District Forest Officer, Suryapet was also reminded during video conferences, and also issue D.O. Letter vide reference 17th cited, But the report is still awaited, even after lapse of 2 ½ years which is noted appreciated.

Vide reference 20th cited (copy enclosed) M/s Deccan Cements has requested for extension of ML-3 (183.11 ha) till 2063 in accordance with the G.O.Ms. No.12, I & C (M.II) Dept, dt. 21.02.2017 (copy enclosed) and as per GOI, MoEF&CC, F.No. 11-51/2015-FC, Dt. 01.04.2015 and amendments issued therein and also Government Memo alongwith enclosures i.e., monitoring & inspection report of R.O., Chennai etc in reference 21st cited are enclosed herewith.

In this regard, the District Forest Officer, Suryapet is once again requested to look into the matter personally and furnish detailed report to this office, immediately so as to be furnish to Government/Government of India. As per F (C) Act, 1980, F (c) rules, 2003 clarifications and guidelines issued in F.No. 5-2/2017 dt. 28.03.2019 and amendments necessary action to be taken upon receipt of detailed report.

This should be treated as **MOST URGENT**.

Encl: As above

Sd/- R.Sobha,
Prl. Chief Conservator of Forests
(Head of Forest Force) (FAC)

To
The District Forest Officer, Suryapet.

Copy to the Conservator of Forests, Khammam for information and for immediate necessary action.

//t.c.b.o//

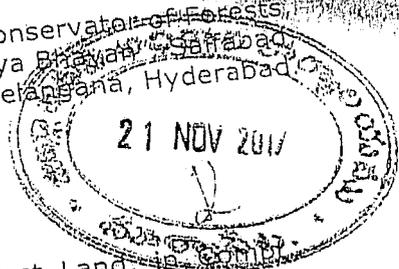
Superintendent

2006
GOVERNMENT OF TELANGANA
FOREST DEPARTMENT

Rc.No. 3456/2014/FCA-5
Dated: 15/11/2017.

O/o Prl. Chief Conservator of Forests,
"Aranya Bhawan", Suryapet
Telangana, Hyderabad

Sri. P.K. JHA, IFS,
Prl. Chief Conservator of Forests
(Head of Forest Force)



Sub: TSFD - FCA - Diversion of 183.11 Ha. of Forest Land, Nos.26 & 27 of Saidulanama Reserve forest of Nalgonda Division for limestone mining, in favour of M/s Deccan Cement Limited, for a period of coterminus with lease to be granted under MMRD Act, subject to a maximum period of 30 years - extension of further period - for clarification and further orders - detailed report requested - Reg.

- Ref:**
1. GOI, MoEF, F.No.8-85/2010-FC, Dt.13.09.2013
 2. GoMs.No.85, EFS&T (For.I) Dept., Dt.09.10.2013
 3. PCCF Rc. No. 31015/2007/FCA-(I), dt 09.09.2017
 4. R/o Sri Venkkanti Koteshwar Rao, Suryapet District, dt. 26.10.2015.

Communicate to...

A copy of reference 4th cited along with its enclosures is send herewith. The District Forest Officer, Suryapet and Conservator of Forests, Khammam are directed to go through the Representation of Sri Venkkanti Koteshwar Rao, Suryapet and submit a detailed report after conducting site inspection and also enquiry into each of the points made in the application to this office within a fortnight.

They are also requested to submit a detailed report as called for vide reference 3rd cited, which is still awaited.

Encl. As above

Sd/- R.Sobha,
for Prl. Chief Conservator of Forests

To
The District Forest Officer Suryapet and Conservator of Forests, Khammam.

//t.c.b.o.//

R.Padma
Superintendent

Jayp
16/11/17

GOVERNMENT OF TELANGANA
ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (For.I) DEPARTMENT

Memo No.1312/For.I(1)/2014

Dated:19.02.2018

Sub:- EFS&T Dept. - Cancellation of Environmental Clearance and Forest Clearance of Bhavanipuram Limestone Mine (ML:183.11) with production capacity from 0.3 million TPA to 2.3 million TPA of limestone by M/s Deccan Cement Ltd., located at village Ravipahad, Mandal: Nereducharla, District Nalgonda - Reg.

- Ref:-1) From PCCF, AP, Lr Rc No.38375/2013/F2, dt.12-2-2014.
2) Govt. Memo.No.1312/For.I (1)/2014, Dt:07.04.2014.
3) From the PCCF (HoFF), T.S., Hyd. Lr.No.13110/2002/FCA-5, dt.05.06.2017.
4) Govt. Lr.No.1312/For.I (1)/2014, Dt:06.10.2017.
5) From the Sr. Asst. Inspector General of Forest (FC), F.No.11-193/2017-FC, GoI, MoEF&CC (FC Division), New Delhi Dt:19.01.2018.

The attention of the Principal Chief Conservator of Forests (HoFF), Telangana State, Hyderabad is invited to the references 1st to 4th cited and a copy of the reference 5th cited, together with its enclosure is sent herewith. He is requested to examine the issue and furnish his specific remarks to Government immediately, for taking further action in the matter.

DR. RAJAT KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests (HoFF),
Telangana State, Hyderabad. (w.e)
SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
Regional Office (South Eastern Zone),
1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,
Nungambakkam, Chennai – 600034.



By Speed Post

F. No. EP/12.1/16/Misc/2017-18/TE/1935
Dated: 30th November, 2017.

To

1. The Principal Chief Conservator of Forests,
Forests Departments,
Govt. of Telangana,
Aranya Bhawan, Saifabad,
Hyderabad – 500 004.
2. The Member Secretary,
Telangana State Pollution Control Board,
Paryavarana Bhavan,
A-3, Sanath Nagar, Hyderabad.

Subject: Public representation received on 01/11/2017 from Shri. Vakkanti Koteswar Rao, Komatikunta Village, Palakaveedu Mandal, Suryapet, Telangana, seeking to cancel environmental clearances and forestry clearances of Bhavanipuram Limestone Mine (ML3:183.11) with production capacity from 0.3 million TPA to 2.3 million TPA of limestone by M/s Deccan Cement Ltd. located at Nalgonda District of Telangana due to alleged violation of rules and acts - regarding.

Ref: Letter No. nil dated 26/10/2015 of Shri. Vakkanti Koteswar Rao, Suryapet, Telangana.

Sir,

Reference is invited to the representation letter No. nil dated 26/10/2015 (copy enclosed) of Shri. Vakkanti Koteswar Rao, Komatikunta Village, Palakaveedu Mandal, Suryapet, Telangana, wherein requested to cancel environmental clearances and forestry clearances of Bhavanipuram Limestone Mine (ML3:183.11) with production capacity from 0.3 million TPA to 2.3 million TPA of limestone by M/s Deccan Cement Ltd. located at Nalgonda District of Telangana due to alleged violation of rules and acts referred therein. The aforesaid communication dated 26/10/2015 was received in this Office on 01/11/2017.

It is requested that that the issues raised in the aforesaid representation may kindly be looked into and the factual status report on the alleged violation referred therein may be submitted to this Office at the earliest to enable us to forward the same to the MoEF&CC, New Delhi for further necessary action.

Encls: As above

Yours faithfully,

(Dr. MRG. Reddy)
Addl. Principal Chief Conservator of Forests (Central)

Copy to: Shri. Vakkanti Koteswar Rao, Komatikunta Village, Palakaveedu Mandal, Suryapet District, Telangana.

(Dr. MRG. Reddy)
Addl. Principal Chief Conservator of Forests (Central)

**GOVERNMENT OF TELANGANA
FOREST DEPARTMENT**

From
Sri P.V Raja Rao, IFS.,
Chief Conservator of Forests/
(FAC) Conservator of Forests,
Khammam Circle, Khammam.

To
The Principal Chief Conservator
of Forests, (Head of Forest Force)
Telangana, Hyderabad.

Rc.No. 174/2018/M11, Dated; 27.07.2020.

Madam,

Sub : FCA- Suryapet Dist. – FC Act rules violated by user agency i.e M/s. Deccan Cements Private Ltd i.e., illegal encroachment of Forest area and other permanent structures constructed in Saidulnama RF of Suryapet district – Report submitted – **Reg.**

Ref : 1. Compliant given by Sri V. KoteswarRao, S/o Narayana, R/o Komatikunta (Vg), Palakedu (Md), Suryapet Dist. Dt.19.02.2018.
2. CCF/(FAC)CF,Khammam Rc.No. 174/2018/M11,dt.26.02.2018.
3. CCF/(FAC)CF,Khammam Rc.No. 174/2018/M11,dt.09.07.2018.
4. CCF/(FAC)CF,Khammam Rc.No. 174/2018/M11,dt.11.03.2020..
5. Compliant given by Sri V. KoteswarRao, S/o Narayana, R/o Komatikunta (Vg), Palakedu (Md), Suryapet Dist. Dt.11.03.2020.
6. CCF/(FAC)CF,Khammam Rc.No. 174/2018/M11,dt.13.05.2020.
7. FDO, FSD, Khammam Rc.No.32/CP/FSD/2020, Dt.08.06.2020.
8. CCF/(FAC)CF,Khammam Rc.No. 174/2018/M11,dt.22.07.2020.

<<<<

It is submitted that, the applicant Sri V. Koteswara Rao R/o Komatikunta (Vg), Palakeedu (Md), Suryapet District vide reference 1st cited has given compliant against M/s. Deccan Cements Ltd, stating that M/s. Deccan Cements has laid down the railway line in Compt.No.27 of Saidulnama RF without getting forest clearances and also violated the FC Act rules by constructing the permanent structures in mining area. He also stated that, Deccan cements ltd has encroached the forest area in Compt.No. 26 & 27 of Saidulnama RF and constructed the other permanent structures like power plant, coal mill, crusher, administrative office building, residential houses in colony, Guest house, canteen, oil bunk, etc., and requested the undersigned to conduct detailed enquiry and to remove the permanent structures constructed in Saidulnama RF and necessary action may be taken against M/s. Deccan Cements Ltd for constructing the permanent structures and encroaching the forest area in Compt.No.26&27 of Saidulnama RF of Suryapet District and action taken report by the Department may be intimated to him.

In this regard, it is submitted that, vide reference 2nd cited necessary instructions issued to the Forest Divisional Officer, FSD, Khammam to conduct detailed enquiry on the compliant given by Sri V. Koteswar Rao R/o Komatikunta (Vg), Suryapet District. Accordingly, the Forest Divisional Officer, FSD, Khammam vide reference 7th cited has submitted detailed enquiry report, as detailed below.

- 2 -

The Forest Divisional Officer, FSD, Khammam has processed to Janpahad beat of Huzurnagar Range along with party on 09.06.2020 and inspected RF areas diverted to railway line to M/s .Deccan Cements Ltd and encroachments in Compt.No.26 &27 of Saidulnama RF and following irregularities were found during inspection.

1. **Encroached 10.12 Ha area in Compt.no.26 and established permanent structure by Deccan Cement Ltd Company.** The Forest Divisional Officer, FSD, Khammam has submitted that, the M/s. Deccan Cements Private Ltd, has got the approval for laying of railway track in in Compt.No.27 of Saidulnama RF as per GoMs.No.125, dt.19.12.2011 about 1.9337 Ha. From 1.9337 Ha area (Lat.79.70538 Long 16.1758) to remaining track towards DCL plant, the area laid by railway track in Compt.No.26 along the boundary line and also established the permanent structures like **one compound wall along with big gate, railway track with railway platform** for loading of finished goods. The total encroached area is in Compt.No.26 is 10.12 Ha by DCL company. Google images and topo sheet was enclosed as **Annexure- Ia & Ib.**

2. **The Deccan Cements Ltd, company encroached 21.51 ha area in Compt.No.27 and established permanent structures.** The Forest Divisional Officer, FSD, Khammam has submitted that, the M/s. Deccan Cements Private Ltd, encroached the area about 21.51 Ha in between Revenue boundary and compt.No.27. Moreover, they have established permanent structures like **Officer's Quarters, Petrol bunk, Employee Quarters, Guest house, DCL main gate and Internal connecting roads.** Google images and topo sheet were enclosed as **Annexure- Iia & Iib.**

Further, the Forest Divisional Officer FSD, Khammam has reported that, she has imported the image of village map from Vanasri of TGFMS and super imposed in Department compartment layers and learnt that **there was encroachment in Compt.No.27.** Images were enclosed as **Annexure-III** for kind perusal.

On further enquiry regarding illegal structures in compt.No.27, the DCL company authorities, showing their records as they **purchased from Revenue department and Formers, about 150.18 acres from Sy.No.1 to Sy.No.10 of Mahankaligudem Village.** Xerox copy of village map, Forest Gazette Notification enclosed as **Annexure-IVa, IVb & IVc** for kind perusal.

In this connection, the Forest Divisional Officer, FSD, Khammam has taken GPS readings on boundaries of DCL Company. It was super imposed in Topo sheet, it showing 62 Ha (i.e 155 acres) area covering under Revenue lands. Google images and topo sheet were enclosed as **Annexure- Iia & Iib for kind perusal.**

Finally, the Forest Divisional Officer, FSD, Khammam has submitted that, the M/s Deccan Cements Ltd has highly violated the Forest Conservation Act rules and requested the undersigned to issue suitable instructions to the District Forest Officer, Suryapet to conduct DGPS Survey for getting accurate maps and further action. The report of the Forest Divisional Officer FSD, Khammam is submitted herewith for kind perusal.

**GOVERNMENT OF TELANGANA
FOREST DEPARTMENT**

From
Sri P.V Raja Rao, IFS.,
Chief Conservator of Forests/
(FAC) Conservator of Forests,
Khammam Circle, Khammam.

To
The Principal Chief Conservator
of Forests, (Head of Forest Force)
Telangana, Hyderabad.

Rc.No. 174/2018/M11, Dated; 27.07.2020.

Madam,

Sub : FCA- Suryapet Dist. – FC Act rules violated by user agency i.e M/s. Deccan Cements Private Ltd i.e., illegal encroachment of Forest area and other permanent structures constructed in Saidulnama RF of Suryapet district – Report submitted – **Reg.**

Ref : 1. Compliant given by Sri V. KoteswarRao, S/o Narayana, R/o Komatikunta (Vg), Palakedu (Md), Suryapet Dist. Dt.19.02.2018.
2. CCF/(FAC)CF,Khammam Rc.No. 174/2018/M11,dt.26.02.2018.
3. CCF/(FAC)CF,Khammam Rc.No. 174/2018/M11,dt.09.07.2018.
4. CCF/(FAC)CF,Khammam Rc.No. 174/2018/M11,dt.11.03.2020..
5. Compliant given by Sri V. KoteswarRao, S/o Narayana, R/o Komatikunta (Vg), Palakedu (Md), Suryapet Dist. Dt.11.03.2020.
6. CCF/(FAC)CF,Khammam Rc.No. 174/2018/M11,dt.13.05.2020.
7. FDO, FSD, Khammam Rc.No.32/CP/FSD/2020, Dt.08.06.2020.
8. CCF/(FAC)CF,Khammam Rc.No. 174/2018/M11,dt.22.07.2020.

<><>

It is submitted that, the applicant Sri V. Koteswara Rao R/o Komatikunta (Vg), Palakeedu (Md), Suryapet District vide reference 1st cited has given compliant against M/s. Deccan Cements Ltd, stating that M/s. Deccan Cements has laid down the railway line in Compt.No.27 of Saidulnama RF without getting forest clearances and also violated the FC Act rules by constructing the permanent structures in mining area. He also stated that, Deccan cements ltd has encroached the forest area in Compt.No. 26 & 27 of Saidulnama RF and constructed the other permanent structures like power plant, coal mill, crusher, administrative office building, residential houses in colony, Guest house, canteen, oil bunk, etc., and requested the undersigned to conduct detailed enquiry and to remove the permanent structures constructed in Saidulnama RF and necessary action may be taken against M/s. Deccan Cements Ltd for constructing the permanent structures and encroaching the forest area in Compt.No.26&27 of Saidulnama RF of Suryapet District and action taken report by the Department may be intimated to him.

In this regard, it is submitted that, vide reference 2nd cited necessary instructions issued to the Forest Divisional Officer, FSD, Khammam to conduct detailed enquiry on the compliant given by Sri V. Koteswar Rao R/o Komatikunta (Vg), Suryapet District. Accordingly, the Forest Divisional Officer, FSD, Khammam vide reference 7th cited has submitted detailed enquiry report, as detailed below.

In view of the above, the following instructions have been issued to the District Forest Officer, Suryapet vide reference 8th cited.

- i) Fix the Reserve forest boundary jointly by Forest and Revenue and conduct detailed minutes of the minutes and personally verify the report of the joint inspection and submit a report. After joint inspection prepare RF Block map and compare with the notified RF block in all aspects and then verify the allegations.
- ii) Check whether the alleged permanent structures if there, then verify if falls within the boundary of Saidulnama RF, whether they are falling in any revenue pattas granted in the said Reserve forest. If revenue pattas granted in such reserve forest, then when and verify whether granted legally or illegally.

And requested to submit the report at the earliest and with conclusive details without any ambiguity in the boundary as per the notification.

Therefore, it is submitted that, further report in the matter will be submitted soon after completion of joint survey in Saidulnama RF by the Revenue & Forest Department and on receipt of detailed report from the District Forest Officer, Suryapet.

This is submitted for favour of kind information.

Encl: Report of the FDO, FSD, Khammam.

Yours faithfully,
Sd/- P.V. Raja Rao.,
Chief Conservator of Forests/
(FAC) Conservator of Forests
Khammam Circle, Khammam.

- Copy submitted to the Prl. Chief Conservator of Forests(FCA), TS, Hyderabad for favour of kind information
- Copy submitted to the Prl. Chief Conservator of Forests(Vigilance), TS, Hyderabad for favour of kind information.

Sd/- P.V. Raja Rao.,
Chief Conservator of Forests/
(FAC) Conservator of Forests
Khammam Circle, Khammam

// t.c.b.o //

[Signature]
Superintendent

FOL

[Signature]
30/12/2010

2. The DCL company Encroached 21.51 ha area in compartment no 27 and established permanent structures

In this regard I submit that, the M/s Deccan Cements Private limited. Encroached the area about 21.51 ha area in between revenue boundary and compartment no 27. More over they are established permanent structures like **Officers quarters, Petrol bunk, Employee quarters, Guest house, DCL main Gate and internal connecting roads.** Google images and Topo sheet were enclosed as **ANNEXURE- Ib & II.** for kind perusal.

Further, I submit that, I have import the image of village map from Vanasri of TGFMS and super imposed in our compartment layers, it learnt that there was a encroachment in compartment no 27. images were enclosed as **ANNEXURE- III** for kind persual .

On further enquiry regarding illegal structures in compartment no 27, the DCL company authorities, showing they records as they purchased from Revenue department and formers, about 150.18 aces from survey no 1 to survey no 10. of Mahankaligudem village, X-rox copy of Village map, Forest Gazette notification enclosed as **ANNEXURE -IV a IV b& IV c** for kind perusal.

In this connection the FSP staff taken GPS readings on boundaries of DCL company. It was super imposed in Topo sheet, it showing ~~62 ha (i.e 155 aces)~~ area covering under Revenue lands. Google images and Topo sheet were enclosed as **ANNEXURE- II a & IIb.** for kind perusal.

In this regard I submit that, in view the above illegal occupations by **M/s Deccan Cements Private limited.** are highly violated the Forest conservation rules . I request to the chief conservator of forest Khammam, to give the suitable instructions to District Forest Officer, Suryapeta to conduct DGPS survey for getting accurate maps and further action .

This is submitted for favour of information and necessary action.

Encl: As above

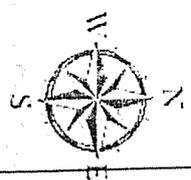
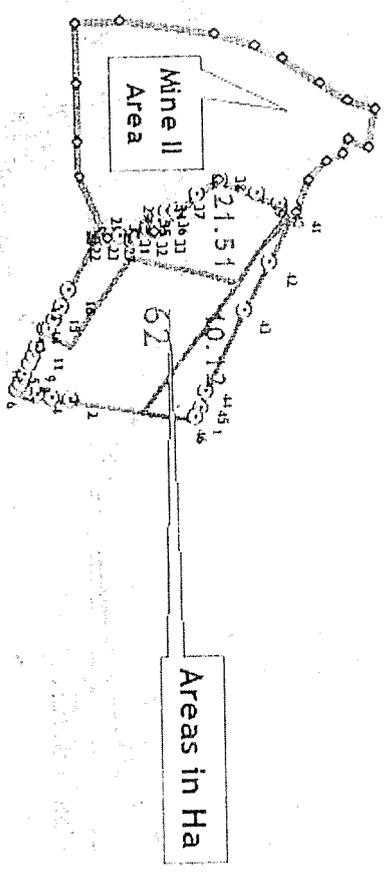
Yours faithfully,

Forest Divisional Officer,
Flying Squad Division,
Khammam.

~~APPLICABLE TO~~

map showing the surface boundaries and easement area in comparison of the

DCL Area Boundaries Superimposing in Topo Sheets



Scale
1:28,183

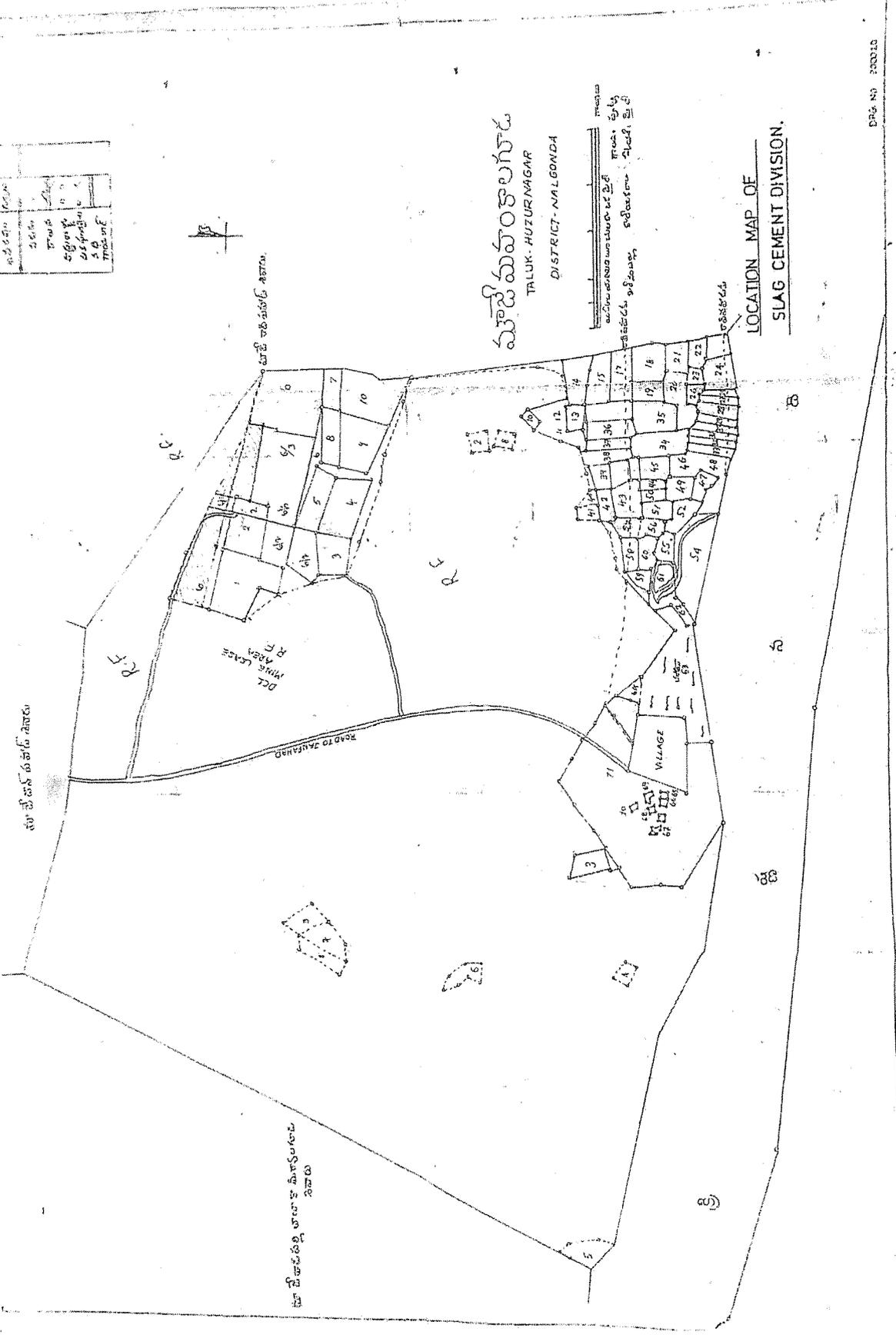
Dcl area in Paurua
 104.15 - 102 ha.
 Dcl area in Comp-24
 15 - 10.12
 Dcl area in Comp-24
 15 - 21.51 ha

VILLAGE WISE LAND PARTICULARS

AMM 2007-11

Sl No.	Village	Sy. No.	Extent Ac. Gts	Regd. Doc. No.	Purchased from	Nata con version Proc No
1	Mahankaligudem	3	4	8		
		1	12.28	39/96,191/96, 192/96	Katuri Yallamandayya & others	B/2134/2007.25.11.2007
		2	8.25	66,67,68/96	Namburi Ramachandra Reddy, Kuntigorla Mutlayya & others	B/2134/2007.25.11.2007
		3	6.07	579/1981	Gandra pentayya & others	B/3741/781,14.05.1981
		4	10.06	569, 571, 1981, 1981	Kata Yellamanda Reddy, Munaga Ramanna & others	B/3741/781,14.05.1981
		5	6.25	581/1981	Kata Yellamanda Reddy, Munaga Ramanna & others	B/3741/781,14.05.1981
		6/A	8.00	570/1981	Munaga Ramanna & others	B/3741/781,14.05.1981
		6/AA	4.00	581/81	Gandra pentayya & others	B/3741/781,14.05.1981
		6/E	2.00	580/1981	Katuri Laxminarayana & others	B/3741/781,14.05.1981
		6/EE	4.00	581/1981	Tellagorla Kondayya & others	B/3741/781,14.05.1981
2	Ravipahad	6/2	10.00	275/2000	Smt P Pushpavahi	B/2134/2007.25.11.2007
		6/3	10.00	2853/99	Ch Kutumba Rao	B/2134/2007.25.11.2007
		6/4,5,6	10.00	2495/99	Paladugu Venkateswara Rao	B/2134/2007.25.11.2007
		6/7,8	24.01	G.O.Ms No.534/24.04.03	Govt. of A P Through alienation	B/2488/2010,18.06.2011
		6	10.06	G.O.Ms No.860/19.08.09	Govt. of A P Through alienation	B/2488/2010,18.06.2011
		7/AA	3.02	2440/05	Bellankonda Saidulu & others	B/2134/2007.25.11.2007
		8	4.21	6496/82	Tellagorla Kondayya & others	B/2134/2007.25.11.2007
		9	12.20	1177/90, 1805/84	K. Sanjeeva Reddy, Kata Eswar Reddy & Katuri Yallamandayya & others	B/2134/2007.25.11.2007
		10	3.07	2440/05	Bellankonda Saidulu & others	B/2134/2007.25.11.2007
		24	4.01	2434/05	Lingala Saidulu	B/2134/2007.25.11.2007
3	Janpahad	25	0.17	2681/09	Uppu Venkateswara Reddy	B/2134/2007.25.11.2007
		26	1.12	274/2007	Uppu Venkateswara Reddy	B/2134/2007.25.11.2007
		27	3.10	2438/05	Bellankonda Saidulu & others	B/2134/2007.25.11.2007
		28	10.01	2376/05	Namburi Krishna Reddy, Bandi Saidamma, Chinata Lingayya & Tellagorla Gangayya	B/2134/2007.25.11.2007
		29	0.33	2293/05	Namburi Krishna Reddy	B/2134/2007.25.11.2007
		30	1.23	2326/05, 2327/05, 2375/05	Namburi Krishna Reddy, Bandi Saidamma, Chinata Lingayya & Tellagorla Gangayya	B/2134/2007.25.11.2007
		31	57.05	G.O.Ms No.860/19.08.09	Govt. of A P Through alienation	B/2488/2010,18.06.2011
		32	1.23	1824/2006	Gandra Sandayya	B/2134/2007.25.11.2007
		33	3.14	2433/05	Bellankonda Saidulu & others	B/2134/2007.25.11.2007
		34	0.38	2435/05	Gandra Lingayya	B/2134/2007.25.11.2007
3	Janpahad	37	1.33	571/2007	Naganaboina Annapurma	B/2134/2007.25.11.2007
		38	28.29	G.O.Ms No.860, 19.08.09	Govt. of A P Through alienation	B/2488/2010,18.06.2011
		84	22.00	G.O.Ms No.860, 19.08.09	Govt. of A P Through alienation	B/2488/2010,18.06.2011
		34(F)	2.37	1810/2001 & 1811/2001	Medisetty Saidu & others	B/2134/2007.25.11.2007
35(F)	3.10	1810/2001 & 1811/2001	Medisetty Saidu & others	B/2134/2007.25.11.2007		
240	4.20	G.O.Ms No.1300, 19.10.10	Govt. of A P Through alienation	B/2488/2010,18.06.2011		

అ.నంబరు	విస్తీర్ణం
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మహబూబ్ నగర్
TALUK - HUZURMAGAR
DISTRICT - NALGONDA

LOCATION MAP OF
SIAG CEMENT DIVISION.

BLOCK HISTORY

(73)
ANNEXURE - IV

01. District	:	Nalgonda
02. Division	:	Nalgonda
03. Range	:	Miryalguda
04. Name of the Block	:	Baldunam
05. Area (in Hectares)	:	1255.57 Ha.
06. Reference to Survey of India sheet No.	:	56 P/10
07. Legal Status	:	
i) Notified under Sec.	:	18 of A.P. Act 1967
ii) Published in A.P. gazette No.	:	169 Dt. 27-2-1953 P.
iii) Published in District Gazette No.	:	1290 Dt. 8-3-1953F.
08. Topography	:	i) Plain
09. Soil Type	:	i) Red Soil (ii) Black Cotton iii) Clayey loam
10. Basic Rock	:	
11. Growing Stock	:	Shabad stone.
i) Forest Type (Champion & Seth's)	:	Southern dry deciduous scrub 5A/Q3/DS1
ii) Sub-type	:	DS1
iii) Density	:	0.2
iv) Quality	:	Under stocked.
12. Area under plantations	:	<u>Species</u> <u>Area in Ha</u> NIL.
13. Area under encroachment & illicit cultivation	:	NIL.
14. Status of natural regeneration	:	NIL.
15. Status of Bamboo	:	NIL.
16. Important rivers or canals passing through the block	:	NIL.
17. Important tanks or reservoirs situated in the block	:	NIL.
18. Roads:	:	
i) Forest roads in the block (with distances and nature of road)	:	NIL.
ii) Other roads in the block (with distances and nature of road)	:	NIL.

19. Wild Life Present

None, Wild boar

20. Mining or quarrying leases in the block

Lime stone

21. Labour force available in enclosures or surrounding villages

Adequate

22. Carrying capacity of the block

1 Ha.

23. State of biotic pressure (both human and cattle) in the block

Heavy.

24. Natural boundaries

i) Boundary with surrounding villages or enclosures

24.10 KM.

ii) Common block boundary with following adjacent blocks

Janpabad, Kalnatanda, Koo Sajjapunam tanda,

a) Pasupubodu

b)

c)

25. Area disreserved in the past (with G.O.No. & Date)

202.34 Ha. 2204 Dt. 27-11

26. Past history of Management

Protection working circle

27. Future proposals

Working Circle

Compt. No. Area in Ha.

Afforestation working circle (Plain)

27

80.00

28. Yields from the Block

Year

Timber

Fuel

Others

NIL.

DIVISIONAL FOREST OFFICER
NALGONDA

WORKING PLAN OFFICER
PARTY NO.VI, NALGONDA

(75)

SALDULHAM RESERVATION

According to the terms of section 18 of Forest Act No. 1 of 326 Fasli it is notified that the area mentioned below comprising villages of Hankani guda, Ravi Pahad, Jampabad taluk Huzur Nagar and cultivable area of Ganesh Pahad under village wada pally taluk Miryalguda District Malgonda is declared as reserved forest from the date of the publication of the notification of the Gazette No. H.E.H. the Nizam's Government, which shall be called as reservation of Syed nam taluk Huzur Nagar District Malgonda area of which is 3602 acres 27 auntas and after obtaining the approval of H.E.H. the Nizam's Government notification thereof is published under section 7 in Gazette No. 8 dated 23rd dai 1333 Fasli and under section 10 in Gazette No. 19 dated 9th Farwardi 1333 fasli, and it is published in the local language in concerned villages. The boundaries of this reservation are as follows:-

B O U N D A R I E S

North:- The boundary line of this reservation starts with the south-western corner of survey No. 336 of village Jan Pahad proceeds towards east and north and passing through southern boundaries of said number and south of Dargah Jan Pahad and southern boundary of Survey No. 26 and 223 reaches the south western corner of survey No. 222 thence it passes through the southern and eastern direction of the said number and reaches south western corner of Survey No. 71 thence it passes with many zig zags from the southern boundary of survey No. 71 and reaches north-eastern corner of Survey Nos. 308 which is included in the reservation, where letter 'B' is indicated in the plan.

East:- from the above mentioned point the line turning towards south and passing through the western side of Survey No. 71 reaches near chinta way, thence it proceeds towards south and passes between the reservation of near chinta way and Syed Nam reaches the north west corner of Survey No. 112. Thence it passes from the west and south of the said number reaches boundary of Ravi Pahad thence it enters the boundary of Ravi Pahad passing the Survey Nos. 31, 12, 8, 31, 23 and again passing over the northern boundary of S. Nos. 31 and 5 proceeds towards south and west and reaches the boundary of Hankomiguda, thence it runs towards south and passing over the western corner of survey No. 6 and of Ravi Pahad and western boundary of Survey No. 1-2 of village Hankani guda, through western boundary of Survey No. 6 reaches directly to the western corner of Survey No. 3 thence it passes through western boundary of said number reaches the south western corner of said number, thence it runs towards south-west and

passes through southern boundary of Survey No.6 reaches south-western corner of Survey No.10 thence passing over the southern boundary of said number reaches the boundary of Ravi Pahad, thence it runs towards south and passing through between the boundaries of Ravi Pahad and Hankani Guda reaches the north-eastern corner of Survey No.24 of village Hankani guda, where the letter 'C' is indicated in the plan.

South:- From the above mentioned point the line proceeds towards west with many zig-zag passes over the northern boundary of the survey No.14, 11, 12, 40, 41, 13 reaches the north west corner of letter number where meets river Krishna, thence it proceeds towards north-west side and passing over northern boundary of Survey No.71 reaches the eastern corner of survey No.61 thence it passes over the northern boundaries of said number and northern boundary of Survey No.51 crossing the cart-track excluding survey No.3 from reservation, passing over its north-west and southern boundaries, turning again towards south reaches the Krishna river, thence it proceeds towards west and declaring the Krishna river, as a natural boundary line of the reservation runs for a distance 70 chains, thence it passes over the northern boundary of Survey No.5 situated at Hankani guda reaches Ganesh Pahad, the runs towards north-western side for a distance of 5 chains and towards west for a distance 10 chains where letter 'D' is marked on the plan.

WEST:- From the above mentioned point the line of this reservation runs towards north-east and reaches south-eastern corner of Survey No.531 thence passing through the eastern boundaries of survey No.564 and 565 reaches the south-western corner of S.No.531 thence proceeds towards east and passing through the eastern boundary of Survey No.531 and south-eastern direction on S.No.565 touching the eastern corner of S.No.531 again passing through the eastern boundaries of S.No.565 reaches the reservation line of pappobode, thence it runs towards east and passing between the reservation line of pappobode and ayad Inam and crossing the cart-track of Mahakali guda reaches the south-eastern corner of survey No.240 situated at Janpahad thence passing out the eastern boundaries of Survey No.240, 21 reaches the first letter 'A'.

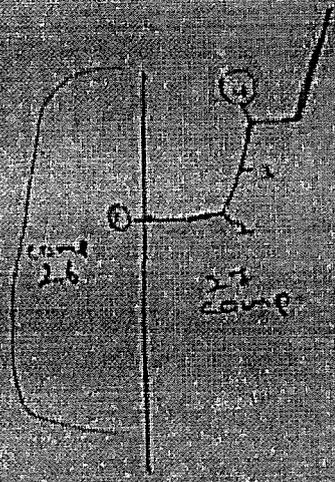
Sd/-

Revenue Secretary.

Encroachment area of prison compound in day's head

Comp No 24 points

- ① 16.710728 79.71092 Loading point 2 area
- ② 16.709818 79.709816 coal mill area
- ③ 16.709786 79.711285 under truck & milling area
- ④ 16.707406 79.713256 Near O.C. quarters



Comp No 26 points

- ① 16.71430 79.71120 Inside point 3 rail way beside water tank
- ② 16.71380 79.71104 1/2 in. side point
- ③ 16.71297 79.71201 Near cold storage area
- ④ 16.71252 79.71281 coal transfer point
- ⑤ 16.700879 79.71750 Border of rail way track



19 Anthony
 (M. Woodhouse)
 FBO, J. J. J.

Shirley
 (C. J. J.)
 D. J. J.

Frank
 J. J. J.

Shirley
 F. J. J.
 R. J. J.
 J. J. J.

Shirley
 F. J. J.
 J. J. J.

Lot - Large	Lot - Large
16 71580	79 70692
16 71600	79 70690
16 71622	79 70655
16 71658	79 70634
16 71688	79 70618
16 71731	79 70598
16 71746	79 70586
16 71762	79 70576
16 71781	79 70567
16 71812	79 70529
16 71827	79 70516
16 71839	79 70506
16 71848	79 70498
16 71865	79 70487
16 71869	79 70487
16 71865	79 70477
16 71878	79 70473

Handwritten notes:
 (1) 71865 (11/11/20)
 For, [unclear]

Handwritten notes:
 (2) 71865 (11/11/20)
 For, [unclear]

Handwritten notes:
 12/11/20
 For, [unclear]

Handwritten notes:
 12/11/20
 For, [unclear]

Handwritten notes:
 12/11/20
 For, [unclear]

12/10 Diversion Area Railway track at station level

Station	14	15	16
1	14 1000		
2	14 71870	79 70371	
3	15 71871	79 70372	
4	15 71872	79 70373	
5	15 71873	79 70374	
6	15 71874	79 70375	
7	15 71875	79 70376	
8	15 71876	79 70377	
9	15 71877	79 70378	
10	15 71878	79 70379	
11	15 71879	79 70380	
12	15 71880	79 70381	
13	15 71881	79 70382	
14	15 71882	79 70383	
15	15 71883	79 70384	
16	15 71884	79 70385	
17	15 71885	79 70386	
18	15 71886	79 70387	
19	15 71887	79 70388	
20	15 71888	79 70389	
21	15 71889	79 70390	
22	15 71890	79 70391	
23	15 71891	79 70392	
24	15 71892	79 70393	
25	15 71893	79 70394	
26	15 71894	79 70395	
27	15 71895	79 70396	
28	15 71896	79 70397	
29	15 71897	79 70398	
30	15 71898	79 70399	
31	15 71899	79 70400	
32	15 71900	79 70401	
33	15 71901	79 70402	
34	15 71902	79 70403	
35	15 71903	79 70404	
36	15 71904	79 70405	
37	15 71905	79 70406	
38	15 71906	79 70407	
39	15 71907	79 70408	
40	15 71908	79 70409	
41	15 71909	79 70410	
42	15 71910	79 70411	
43	15 71911	79 70412	
44	15 71912	79 70413	
45	15 71913	79 70414	
46	15 71914	79 70415	
47	15 71915	79 70416	
48	15 71916	79 70417	
49	15 71917	79 70418	
50	15 71918	79 70419	
51	15 71919	79 70420	
52	15 71920	79 70421	
53	15 71921	79 70422	
54	15 71922	79 70423	
55	15 71923	79 70424	
56	15 71924	79 70425	
57	15 71925	79 70426	
58	15 71926	79 70427	
59	15 71927	79 70428	
60	15 71928	79 70429	
61	15 71929	79 70430	
62	15 71930	79 70431	
63	15 71931	79 70432	
64	15 71932	79 70433	
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Annexure III

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Field Inspection Notes of Dr. Chandra B. Malasi, Addl. Pri. Chief Conservator of Forests (FCA-M) O/o the Pri. Chief Conservator of Forests, Andhra Pradesh, Hyderabad in Nalgonda Division of Hyderabad Circle dt. 08-10-2013.

Today along with the Divisional Forest Officer, Nalgonda and concerned field staff inspected following diverted forest area and CA Plantation in Nalgonda Division related to M/s Deccan Cement Ltd. in compt no.27. of Saidulamma RF in Miryalguda Range. Forest areas for following three project were diverted in this compartment in favour of M/s Deccan Cement Ltd.

I. Forest area diverted for M/s Deccan Cement Ltd: For this project, forest area of 73.93 Ha was diverted during 1998 in compt no.27. of Saidulamma RF in Miryalguda Range of Nalgonda Division. This 73.93 Ha area is adjacent to the cement factory and eastern boundary portion of the diverted area is attached to western boundary of Cement Factory. A compound wall is constructed between the Reserve Forest boundary and Factory boundary. This compound wall starts on Reserve Forest area Boundary located between station No.7 to 10 on eastern side of the leased area. **The station No.7 of the lease area is newly constructed RCC pillar and it is about 1.00 meter inside the compound wall. Station No.8 is rouble stone pillar and it is not made RCC pillar. It looks that a part of the lease area is encroached upon between station no. 7 to 8 and 8 to 10. It is evident from the Google Imagery of 2002 that there was not a compound wall in between the diverted forest area and factory boundary. Hence, immediate survey of this portion has to be taken up as per FCA proposal to know whether there is any encroachment or not.**

The factory officials have informed that out of 73.93 Ha diverted forest area, effective mining area is 59.14 Ha as 50.00 meter width toward the main road cannot be mined as per rules. Some plants were planted on this 50.00 meter width area on road side by blasting the rock area and filling with soil. 4.00 feet high rouble stone pillars with cement mortar plastering are existing at 20 survey stations only and no boundary pillars at 20.00 meter intervals were constructed as there was no such condition in approval orders. Most of the pillars are intact but some are damaged. Broken up area will be about 35.00 Ha. Area is broken upto 4th bench upto depth of 28.00 meter from ground level and further digging is stopped in about 8.90 Ha. At present digging is going on in 2nd and 3rd bench levels at 16.00 m to 18.00 meter depth in 35.00 meter broken up area.

Three temporary roads were constructed within the leased area. As seen from Google Imagery of 2002(copy enclosed), these three roads were constructed subsequently and they are constructed in violation fo the Forest (Conservation) Act, 1980. One of the road is laid after constructing a earthern bund and this road is continuing within the factory premises by constructing a similar road on a earthern bund. From this road, extracted lime stone is taken from the broken up area directly to the crusher site. No permission was granted for such a earthern bund road in approval orders. Hence, this road is illegal and it is inviolation of the approval conditions and this road has to be dismantled immediately. Another two roads were constructed between survey station no. 18 to 20 and these roads are leading to the gate of the factory which is directly opening in the leased area between survey station no.7 to 8. These roads are used for transportation of cement from the factory. As could be seen from the utilization of the diverted area near the factory gate between survey station no.7 to 8, the area is utilized for parking and maintenance of transport vehicles in the past as about 2.00 Ha area is completely blackened and boundary pillars at 20.00 meter

intervals around the forest area diverted for railway sliding leading to the factory gate are missing in the portion. It is also evident from Google Imagery of 2013. Hence, the major road which is leading to the factory gate through the diverted forest area shall be blocked and factory gate opening to the diverted forest area between survey station No.7 and 8 shall be closed and sealed immediately. The third road shall be allowed to be used for transportation of extracted lime stone from the lease area to the main tar road and then take it to factory from their entry road for which forest area was also diverted.

The Vice-President (Works) of M/s Deccan Cement has promised to repair the damaged boundary pillars at 20 survey stations and whitewashed them duly recording geo-coordinates on each of the survey stations. He has also promised to construct 4.00 feet high boundary pillars at 20 meter intervals within one month period. He has also informed that firms for conducting DGPS survey has already been finalized and DGPS survey will be completed within one months time.

Non-forest CA land for this project is partly given in Nalgonda Division and partly in WLM Division, Nagarjunasagar.

II- Forest area diverted for Railway sliding in favour M/s Daccan Cement Ltd.:- 1.9337Ha area is diverted for laying a railway line from main railway line to the Cement Factory. Part of this railway sliding area is falling within the already diverted area of 73.93 Ha for mining and part is falling in adjacent RF area. The railway sliding is entering into already diverted area for mining between survey station no.19 and 20 of the mining area and leading to the existing gate of the Cement Factory located between survey station no 7 and 8 of the mining area. 2.00 feet high boundary pillars are constructed at 20.00 meter intervals but so far 4.00 feet high boundary pillars are not constructed. The boundary pillars are missing near the gate area as this area was used for parking and maintenance of the Transport vehicles. Construction works for railway sliding is under progress. For laying of railway sliding, area was cut up to 8.00 to 9.00 meter depth towards main road. Hence, both side of dug up area shall be dressed properly and retention wall shall be constructed. **Requested the factory Officials to construct 4.00 feet height boundary pillars at 20.00 meter intervals around the diverted area upto factory gate and not to use this area for transport of cements from the factory.**

CA land for this project in is given in WLM Division, Nagarjunasagar.

III- Forest area diverted for Road, Electrical Line and Water Supply Line in favour of M/s Deccan Cement Ltd. :- For this project, 1.897 Ha forest area was diverted for laying Entry Road of 12.00 meter width to Cement Factory from the main Nareducherla to Mahankaliguda road. This diverted area is parallel to the southern boundary of mining lease area between survey station no.4 to 10. Under ground water pipe line and overhead Electrical line are also passing through this area for electricity and water supply to factory gate. Laying of road, Electricity line and Water pipe line have been completed. 2.00 feet high boundary pillars are available but construction of 4.00 feet high boundary pillars is not takenup. **The Vice-President (works) has promised to construct 4.00 feet high boundary pillars around this diverted forest area and also complete DGPS survey within one month.**

Total CA and penal CA of 3.80 Ha for this project was handed over in WLM Division, Nagarjunasagar.

IV Old minning area :- Previously, 22.55 Ha forest area was diverted for mining purpose adjacent to the existing mining lease area on southern side. This 22.55 Ha mining lease area was closed in 2000 but still reclamation works are not completed. A water body of 9.99 Ha is proposed to be retained and balance area has to be reclaimed. Some filling was in progress and about 4.00 Ha area has to be filled and planted. Dumps on unworked area also

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Sd/-
Director (WL)
Nagarjunasagar

require some gap planting. The Vice-President (works) promised to complete filling works within 6 to 8 months and area will be planted during 2014 planting season. Dump area will also be planted on gaps during 2014 planting season.

Factory Officials has informed that full reclamation of mined area is not possible in this areas as waste materials from the mined area is less than 10% and refilling of mined area is very costly. Hence, dugup areas are maintained as water bodies. This water bodies both in old mining area and new mining area are about 25.00 to 30.00 meter deep and having vertical cut of 25.00 to 30.00 meter height. These water bodies may be very dangerous both for Wildlife as well as for human beings.

V. Non-forest CA area : For diversion of 73.93 Ha forest area for mining lease in favour of M/s Deccan Cement Ltd, 48.70 Ha non-forest CA land was handed over in Peddavedu village. The area is old dis-resevered forest area which was dis-resevered in 1972 for rehabilitation of Nagarjunsagar Dam oustees. The area is a linear strip and attached to Compt No.17 of Gurrambadu Reserve Forest on eastern side. Area is plain to undulating. CA scheme was prepared for 43.909 Ha. CA plantation was raised during 2009-10. Most of plain area in about 10.00 Ha was planted with Eucalyptus clone under Semi mechanical Method and balance area was treated under gap planting. Clone no.7 of Eucalyptus was planted at 3X3 meter spacement. Plantation has come up well and present height of seedlings is about 5.00 to 6.00 meter. Present survival will be about 90.00%. In gap planting area, seedlings are about 1.50 meter height but growth is not satisfactory. Seedlings of Kanuga, A. Siamea, Marri, Ravi, etc., were planted. Seedlings are surviving but not putting into significant growth. Gap planted area is having thorny growth of Sandra and Zizyphus with Grewia species. No maintenance works were taken up so far this year.

Forest Range Officer has informed that about 1.50 Ha plain area was tried for encroachment and presently this area is under court litigation but under the control of Forest Department.

Divisional Forest Officers, Nalgonda has informed that block notification proposal under section 4 of AP Forest Act 1967 has been submitted to Government.

Following instruction are issued :

1. All RF boundary pillars in Compt No.72 shall be made RCC pillars with green and blue paints and duly recording the DGPS Geo coordinates on the RF boundary pillars.
2. Actual forest areas utilized by the User Agency ie M/s Deccan Cement Ltd. for above mentioned three diversion cases shall be re-surveyed with the DGPS instrument and re-surveyed map duly superimposed on proposed diverted forest area map shall be submitted within 7 days. If User Agency has utilized more than the forest area ordered for diversion or encroached the diverted forest land, necessary actions shall be taken up immediately.
3. User Agency may be requested to construct 4.00 ft high boundary pillars at 20.00 meter intervals around the diverted forest areas related to all the three projects. These boundary pillars shall be whitewashed and DGPS Geo coordinates shall be recorded on each and every boundary pillars.
4. User Agency shall be requested to complete the reclamation works in the old mining areas and also start reclamation works in present mining area.

Agenda No. 04: Proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad

The Regional Empowered Committee (REC) has noted the following facts of the proposal:

1. The State Government of Telangana vide letter No 1632/For.I(I)/2020 dated 22.04.2021 forwarded the proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad and requested to obtain and communicate the approval of GoI MoEF&CC under Section 2 of FCA, 1980.
2. **Purpose wise breakup of the forest area required for diversion:** 8.02 ha for Railway Siding, Wagon loading and Wagon tippler, etc
3. Legal Status of Forest land: Reserved Forest
4. Density of Vegetation: 0.1, Eco Class 3
5. Cost of the project: Rs.3017 lakhs.
6. As reported, 20 permanent and 600-man days of temporary employment likely to be generated due to the project.
7. DFO, Suryapet Forest Division has reported that the proposed forest area for diversion is not vulnerable for erosion;
8. DFO, Suryapet Forest Division has reported that the forest area proposed for diversion does not fall under Sanctuary / National Park, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc.
9. DFO, Suryapet Forest Division has reported that no rare/ endangered / unique species of flora is found in the area.
10. DFO, Suryapet Forest Division has reported that no protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area.
11. DFO, Suryapet Forest Division has reported that the requirement of forest land for diversion as proposed by the UA is unavoidable and the barest minimum for the project.
12. Violation of FCA, 1980: The entire 8.02 ha is under the violation of FCA, 1980. The PCCF, Telangana reported the following:

The District Forest Officer, Suryapet has reported that, works were already done by the user agency by violating the FC Act, 1980 during the period from 2011-12 to 2015-16. A show cause has been issued to the user agency vide DFO, Suryapet Rc.No.789/2020/S4, Dt.01.07.2020. The proposed work was already completed and now submitting the proposals for regularization of said area.

Further, the District Forest Officer has reported that, the violation is not intentional. It occurred due to mistake of facts. The user agency has obtained forest clearance for railway



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sliding to an extent of 1.93377 ha, but extended beyond the permitted area.

Further, the District Forest Officer, has reported that, For the approved mining lease project (183.11 ha), the then DFO Nalgonda has submitted in Part-II application that, the proposed area for additional mining lease is the southern boundary within the Saidulanama RF in Compt.No.26 & 27. It seems the leased area was presumed to be up to the boundary line of RF. The situation arose due to the fact that the reserved forest boundary lines were not clearly demarcated on the ground. But, during the detailed survey of RF Block with DGPS, it is understood that, the extended railway siding is also a part of RF. Hence, it appears that, user agency has not intentionally utilized the RF area for the purpose of Railway line, extended beyond the approved diversion. DFO also reported that, the committee constituted by Hon'ble National Green Tribunal has recommended regularization of said area. Hence, necessary penalty and Penal Compensatory Afforestation may be imposed to the user agency

13. DFO, Suryapet Forest Division has reported that no trees in the proposed forest area:
14. An extent of 8.839 ha of non-forest area in two bits have been identified for the purpose of compensatory afforestation and CA scheme including 10 years of maintenance over an area of 8.02 ha and fencing & SMC works *etc.* for entire 8.839 ha with financial outlay of Rs. 184.46223 lakhs along soil suitability certificate, map etc have been submitted and uploaded in the web portal;
15. Penal Compensatory Afforestation (PCA) over 17 ha of degraded forest area Compt.No.9, Ramavaram RF, Pengadapa beat, Musalivarre (W), Ramavaram Range has been proposed and submitted CA scheme with financial outlay of Rs.120.3289 lakhs have been submitted
16. DFO, Suryapet Forest Division: Recommended with the following conditions;
 - a. The violation under F(C)Act, 1980 is committed by the UA. Hence, necessary penalty may be imposed to the UA. The UA has committed this offence unintentionally. Hence, the UA has opted for regularization of this said area. The committee constituted by Hon'ble National Green Tribunal has recommended regularization of said area.
 - b. User Agency has to provide funds for Wildlife Mitigation plan which includes provisions for taking up works like Saucer pit formation with refilling of water.
 - c. The user agency has to deposit funds for erection of the Boundary Pillars throughout the entire length of Saidulanama RF so as to ease the further discrepancies if any.
 - d. User Agency has to erect a 4 ft height parapet wall on towards the Forest Boundary all along the length of the proposed diversion.
 - e. UA has to provide fund for Penal CA land. As no suitable land is available for in this District for this purpose.



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17. Conservator of Forests, Khammam, PCCF (HoFF) Telangana and State Government of Telangana recommended for regularization;
18. Site Inspection report of the DFO, Suryapet Forest Division has been furnished and uploaded in the web portal.
19. Map and kml of the Forest land proposed for diversion have been submitted and uploaded in the web portal;
20. RoFR certificate: As reported, RoFR is yet to be obtained from the concerned competent authority;
21. The subject proposal has been processed through DSS cell and found to be not inviolate.
22. The subject proposal has been uploaded in the web portal vide proposal number FP/TG/RAIL/138554/2021
23. A case is filed by the Vakkanti Koteswar Rao, S/o. Narayana, H.No.2-8 Komatikunta (V), Nereduchal Mandal, Nalgonda District, Telangana State Hon'ble NGT Chennai vide i.e. OA No 33 of 2016 against the M/s Deccan Cements Limited and made the Union of India, Ministry of Environment, Forests & Climate Change as 1st respondent and wherein petitioner among other things, he alleged that the M/s Deccan Cements Limited encroached reserved forest and carried out work in the forest area without approval under FCA, 1980;
24. The Hon'ble NGT, Chennai has heard the matter and passed orders dated 18.12.2019 constituting a Joint Committee consisting of District Collector, Nalgonda (now Suryapet District); Senior Official from Mining and Geology Department, Government of Telangana; Senior Scientist from the Telangana State Pollution Control Board and Divisional Forest Officer, Nalgonda Division (Now Suryapet District) to inspect the unit in question and submit the present status and compliance of Environmental norms and excess of quantity of mining being done or extension of the area for mining beyond the permitted area as per the lease and if so, any action has been taken against them and submit the factual and action taken report to the Tribunal constituted. The "Joint committee in its report, apart from other things, mentioned (with reference to complaint concerned with encroachment of forest land) that the project Proponent i.e M/s Deccan Cements Limited has encroached in to the reserved forest for the purpose of erecting some permanent structures like the sheds and power plant to an extent of 8.00 ha and committee instructed the project proponent to go for diversion of the RF area to the extent required by the following due procedures as per rules".



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25. The Hon'ble NGT, Chennai, vide its order dated 19.08.2020 instructed the Regional Office, MoEF&CC as below;
- "the Regional Office, MoEF&CC is also directed to consider the report and if any action is required on that basis, they are also directed to take appropriate action in accordance with law and submit the report to that effect"
26. As per the directions of the Hon'ble NGT in its interim order dated 19.08.2020, the Integrated Regional Office, Chennai vide letter dated 23.10.2020 requested the Telangana State Government to submit factual report regarding alleged violation i.e encroachment of forest and to an extent of 8 ha area by the project proponent;
27. To ascertain the exact extent of forest area encroached (as by then, complaints start coming up stating that the actual forest area under encroachment is more than what it is mentioned by Joint Committee) by the M/s Deccan Cements Limited, the PCCF vide letter Rc No 53565/2008/FCA-3 dated 25.09.2020 requested the Chief Conservator of Forests, Khammam and District Forest Officer, Suryapet to take immediate necessary action on the following items in connection with all complaint petitions;
- Through a joint team of forest, revenue, SSLR to fix the boundaries of the Saidulanama RF as per the Gazettee notification, maps, cadastral maps and allied records and then carry out the DGPS survey and furnish the report on extent of violation, with respect to the forest clearance and encroachments;
 - To check whether any pattas issued in RF, if so the details of Pattas and action taken report on cancellation of Pattas.
 - To furnish conclusive report without any ambiguity on violations and pattas
 - To furnish the DGPS data of Saidulanama RF the railway line the constructions, mining areas etc and Gazette notification, maps, and allied records for ascertaining the extent of areas;
 - To furnish the notification proposals of the non-forest CA land
 - To furnish the detailed report on the development of green belt along with DGPS data
 - Status of reclamation and regressing of ML -1 of 22.55 ha of forest land which is closed and handed over to Forest Department on 23.12.2000.
28. After receipt of the detailed report and DGPS survey, it is found that an extent of 1.9337 ha already been diverted as per order No. 4-APB633/2009-BAN/9848 dated 22.09.2011 under FCA, 1980 in favor of M/s Deccan Cements Limited by the erstwhile Regional Office, Bengaluru, however, the project proponent has brought up some construction activities involving the forest land to an extent of 8.02 ha in due course of time.



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As instructed by the committee constituted by the Hon'ble NGT, the project proponent i.e. M/s Deccan Cement Limited has applied for diversion / regularization of 8.02 ha forest area which is encroachment into RF.

29. The State Government as per letter No 1312/For.I(1)/2014 dated 22.04.2021 submitted enquiry report on the orders issued by Hon'ble NGT, Chennai dated 19.08.2020 and 22.02.2021 in O.A. No 33 of 2016, and forwarded the proposal seeking regularization Proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad;
30. The proposal submitted by the Telangana Govt. has been scrutinized by the Integrated Regional Office, Hyderabad and vide letter dated 23.04.2021 requested Telangana Government to submit the following additional information / documents;
- As the State Government reported that the UA utilized 8.02 ha beyond the approval accorded by the GoI for diversion of 1.9337 ha in the year 2011, hence a map clearly depicting an forest area proposed for regularization under subject proposal and an area i.e. 1.9337 ha already been diverted in favour of M/s Deccan Cements Limited may be submitted;
 - The DFO reported that no trees available in the proposed area, however, as per the kml file uploaded by the User Agency, few trees are existing in the proposed area. Hence clarification on the trees existing in the proposed area may be furnished;
31. The State Government vide letter NO 1632/For.I(1)/2021 dated 01.05.2021 submitted additional information as sought by the IRO Hyderabad and the additional information are as follows;

No	Additional information sought by the IRO Hyderabad	Reply received from the PCCF, Telangana
	As the State Government reported that the UA utilized 8.02 ha beyond the approval accorded by the GoI for diversion of 1.9337 ha in the year 2011, hence a map clearly depicting an forest area proposed for regularization under subject proposal and an area i.e. 1.9337 ha already been diverted in favour of M/s Deccan Cements Limited may	The District Forest Officer, Suryapet has reported that the Original diverted area 1.9337 ha is utilized for railway line and additional (encroached) area of 8.02 ha is contiguous to the existing 1.9337 ha area diverted for railway line siding. There is no other forest land being utilized. The total survey map of Saidulnama RF is enclosed showing both 1.9337 ha diverted for railway line and 8.02 ha additional area utilized other mining leases,



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	submitted;	road transmission line for which forest land diverted in favour of user agency;
	The DFO reported that no trees available in the proposed area, however, as per the kml file uploaded by the User Agency, few trees are existing in the proposed area. Hence clarification on the trees existing in the proposed area may be furnished	The District Forest Officer, Suryapet has reported that (200) nos of Subabul trees and (15) nos Neem trees are existing along the railway siding of proposed 8.02 ha area for regularization. It is submitted that all the trees are below 30 cm girth & with an average height of 3 mtrs. The Management of M/s Deccan Cement Limited has given an undertaking that, they will not fell any trees in the proposed 8.02 ha for regularization.

32. For the purpose of cross verification, the kml file of the forest area proposed for diversion / regularization has been analyzed by the Decision Support System (DSS) and found that no mining activities has been carried out in the forest area proposed for diversion.

33. Committee noted that The Hon'ble NGT expressed displeasure for not filling reply affidavit on action taken by the Regional Office, Chennai on allegation made under OA 33 of 2016 (interim orders dated 22.02.2021, 22.03.2021 & 26.04.2021 is enclosed) and the next date of hearing is scheduled on 7th June 2021;

Deliberation: The Regional Empowered Committee (REC) noted the interim orders issued by the Hon'ble NGT in OA 33/2016 and in specific discussed in detail the order dated 19.08.2020 and examined the proposal submitted by the Telangana State Government seeking approval for regularization of 8.02 ha of forest area.

The Committee deliberated on the above case in each issue wise as below;

1. Interim Order dated 19.08.2020 under O.A. 33/2016 filed before Hon'ble NGT, Chennai

The committee perused the interim order dated 19.08.2020 by the Hon'ble National Green Tribunal, Chennai and is as follows;

******Extract of the Interim Order dated 19.08.2020******
 6. *The committee have assessed the environmental compensation and*



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they want this Tribunal to approve the same and pass appropriate orders. It may be mentioned here that it is not for the tribunal to pass any order in respect of environmental compensation. That is for the regulator to take appropriate action against the violators after giving an opportunity to the violating industry to be heard.

7. So under such circumstances, we direct the regulators to consider the report and take appropriate action against the alleged violating unit, after giving an opportunity to that unit and pass appropriate orders and submit a compliance report regarding the same to this Tribunal. We do not express any opinion regarding the report at this stage.

8. The Regional Office, MoEF&CC is also directed to consider the report and if any action is required on that basis, they are also directed to take appropriate action in accordance with law and submit the report to that effect.

9. Learned counsel appearing for the applicant as well as eighth respondent wanted time to file their objections to the committee report and they are at liberty to file the same to this tribunal before next hearing date.

10. The regulating authorities namely the Pollution Control Board and Regional Office, Ministry of Environment, Forests & Climate Change (MoEF&CC) are also directed to consider the question of alleged violations mentioned in the report and the action taken on that basis before the next hearing date

In addition, to the above, the committee of REC noted that one of the recommendations of the Joint committee constituted by the NGT is as below;

"project Proponent (i.e M/s Deccan Cements Limited) has encroached in to the reserved forest for the purpose of erecting some permanent structures like the sheds and power plant to an extent of 8.00 ha and committee instructed the project proponent to go for diversion of the RF area to the extent required by the following due procedures as per rules".

The Committee of the REC examined the operative portion of the order passed by the Hon'ble NGT, Chennai and after verifying the facts, the Committee noted the following

- a. As directed by the NGT, Chennai, the Integrated Regional Office (IRO) Hyderabad has



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- requested the Telangana State Government to submit factual report regarding alleged violations i.e encroachments into the Reserved Forest land;
- b. After continuous follow up by the Integrated Regional Office, Hyderabad, the Telangana State Government vide letter No 1312/For.I(1)/2014 dated 22.04.2021 submitted enquiry report to the IRO, Hyderabad based on the orders issued by Hon'ble NGT, Chennai dated 19.08.2020 and 22.02.2021 in O.A. No 33 of 2016, and vide letter No 1632/For.I(I)/2020 dated 22.04.2021 forwarded the proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad;

2. The proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favour of M/s Deccan Cements Limited (DCL), Hyderabad;

As the proposal is linear in nature and having area more than 5 hectares with violation of FCA, 1980, the Integrated Regional Office, Hyderabad placed the proposal before the Regional Empowered Committee (REC) for consideration and to take appropriate decision as per the provisions made under rules / guidelines framed under FCA, 1980. The Committee examined the proposal submitted by the State Government seeking approval under FCA, 1980 and as reported by the State Government, the project proponent i.e M/s Deccan Cements Limited obtained the approval under FCA, 1980 for diversion of over an extent of 1.9337 ha vide order No. 4-APB633/2009-BAN/9848 dated 22.09.2011 in favor of M/s Deccan Cements Limited by the erstwhile Regional Office, Bengaluru, however, the project proponent has brought up some construction activities involving the forest land to an extent of 8.02 ha in due course of time in addition to the forest area diverted.

The Committee heard the representatives present during the meeting, the User Agency informed the committee that the M/s Deccan Cements Limited has taken prior approval of GoI under FCA, 1980 for all the activities taken up in the forest area, however the area of 8.02 ha of RF has been utilized unintentionally and mainly because of confusion in the demarcation of the RF boundary. The Project Proponent briefed the committee that, as instructed by the committee constituted by the Hon'ble NGT, the project proponent i.e. M/s Deccan Cement Limited has applied for diversion / regularization of 8.02 ha forest area now which is termed as



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encroachment into RF and informed that the M/s Deccan Cement Limited will abide by the all rules / regulations and to make all necessary payments towards Net Present Value (NPV), Compensatory Afforestation, Penal Compensatory Afforestation, Penal Net Present Value as decided by the committee and follow all rules / regulation as applicable to such project in future also.

Committee enquired the PCCF, Telangana regarding boundary disputes, other forest clearances obtained by the M/s Deccan Cement Limited and their compliances to the conditions stipulated by the GoI. The PCCF, Telangana explained all the clarifications /details as sought by the Committee and informed that the User Agency encroached forest area over 8.02 ha in addition to the 1.9337 ha diverted earlier mainly because of dispute in the RF boundary and the PCCF, Telangana strongly recommended that though the encroachment is not intentional, the violation committed by the User Agency shall be dealt strictly and fix the penalty as per the provisions made under FCA, 1980.

After hearing both the Forest Department Officials & the representative of the User Agency the committee opined that though the M/s Deccan Cement Limited obtained the prior approval of Government of India during 2011 for diversion of 1.9337 ha for railway siding the M/s Deccan Cement Limited should have been consulted the Forest Department before taking up of any activity near to the RF boundary to avoid violation of FCA, 1980 over an extent of 8.02 ha. **The Committee opined that the encroachment of 8.02 ha of forest area is completely in violation of condition No. 06 stipulated by the erstwhile Regional Office in its order No 4-APB633/2009-BAN/9849 dated 22.09.2011 and the committee concluded that the User Agency utilized / encroached additional 8.02 ha shall be penalized as per the provision made in the comprehensive hand book under 1.21(ii) & (iii) and also decided to impose Penal Compensatory Afforestation (PCA) as proposed by the State Government;**

3. Deliberation on complaint dated 30.04.2021 received from Shri. Vakkanti Koteswar Rao S/o Narayana, R/o Komatikunta Village, Palakaveedu Mandalam, Suryapet District.

Above complaint was received to revoke the proposal of illegally encroached reserve forest and stage-1 clearance submitted by the M/S Deccan Cements Limited Bhavanipuram Named DCL railway sliding -2 proposal no: FP/TG/RAIL/138554/2021 dated: 19.03.2021 over an extent of 8.02 hecters.

Since the complaint was received only in the evening (after the REC meeting is over through VC) on 07.05.2021 the issue could not be deliberated in the meeting. Thereafter same complaint also received through email on 08.05.2021, and the mail with its annexures was forwarded to the members of the REC on 08.05.2021, for their remarks / suggestions. The



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committee members opined that, whatever the REC decided in respect of this proposal in the meeting, is as per the prevailing Act, Rules and guidelines of the Ministry, hence the decisions made in the meeting can be recommended.

Recommendation: After deliberation on all aspects and considering the directions issued by Hon'ble NGT based on the report of the Committee Constituted by the Hon'ble NGT and also need of the railway sidling as per the conditions stipulated in the Environmental Clearance, the committee opined that the established railway siding by the M/s Deccan Cements Limited is essential for the conservation of environment and forests and hence decided to **RECOMMEND** the proposal to regularize / diversion under FCA, 1980 subject to the standard conditions as applicable to such railway projects with the following additional conditions;

1. Committee decided to impose a penalty of 2 times the NPV as per provisions made in the comprehensive guidelines hand book under section 1.21 (iii) (a) ;
2. The violation committed by the User Agency / Forest Department officials shall be dealt as per the provisions made in State Forest Act or FC Act and its Rules and guidelines made there under.
3. Penal Compensatory Afforestation (PCA) over 17 ha of degraded forest area Compt.No.9, Ramavaram RF, Pengadapa beat, Musalivarre (W), Ramavaram Range shall be carried out with financial outlay of Rs.120.3289 lakhs as per proposed PCA Scheme;
4. The user agency shall get the wildlife mitigation plan prepared by any competent person /agency and the same should be approved by the Chief Wildlife Warden and implemented at the cost of the User Agency;
5. The user agency has to deposit funds for erection of the Boundary Pillars throughout the entire length of Saidulanama RF so as to ease the further discrepancies if any.
6. User Agency has to erect a 4 ft height parapet wall on towards the Forest Boundary all along the length of the proposed diversion.
7. Trees standing within 8.02 ha shall not be felled.
8. In consultation with the DFO, Concerned, User Agency shall carryout plantation of long living and environmental tree species like Peepal (Ficus religiosa) Banyan (Ficus benghalensis), Tamarind (Tamarindus indica), Neem (Azaridicta indica), and Jamun (Syzygium cumini) etc in vacant area within the 8.02 ha,
9. The User Agency shall take prior approval of GoI for any new non forestry activity within 8.02 ha;

Committee decided that after issuing of Stage I approval, the Integrated Regional Office,



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Hyderabad may file reply affidavit before Hon'ble NGT, Chennai after addressing all other issues raised in the OA.No.33/2016 in consultation with the Ministry, New Delhi. Further, Committee decided that the Integrated Regional Office, Hyderabad shall issue letter to the Telangana State Forest Department requesting to issue instructions to the field officials to be alert / vigil so as to prevent such encroachment(s) in future.

State: Andhra Pradesh

Agenda No: 05: Diversion of 4.59 ha (Previously 3.89 ha) of forest land for quarrying of road metal in Sy.No.361 of Sangam (V) & Mandal, Sangam RF, SPSR Nellore Division/District in favour of Smt. D. Mamatha Rani, Nellore

1. After obtaining approval from the competent authority, MoEF&CC, New Delhi, the Regional Office, Chennai vide letter dated 14.03.2017 conveyed *in-principle (Stage-I) approval*. The PCCF of Andhra Pradesh vide letter No. 8454/2011-FCA-2 dated 30.11.2017 has reported compliance to the conditions stipulated in the in-principle approval. After careful consideration of the compliance report submitted by the State Government, the Regional Office, Chennai vide letter dated 18.12.2017 conveyed *final (Stage II)* for the subject proposal;
2. The purpose wise breakup approved by the competent authority are as follows;

a. For mining	: 3.67 ha
b. For road	: 0.22 ha
c. Safety zone	: 0.70 ha
Total	: 4.59 ha
3. The State Government of Andhra Pradesh vide letter No 1282/Section.II/2020 dated 04.11.2020 has stated that the User Agency has proposed a new road on the western side of the above mining lease to a length of 1.36 km (1.15 km in RF and 0.21 km in the existing RoW) so as to save mileage and avoid the heavy traffic to reach stone crusher as it is being established in the revenue land on the western side of the proposed mining area at a distance of 1.36 km from the proposed mining area. Further reported that, the Conservator of Forests, Guntur vide letter dated 27.02.2019 has submitted a report, stating that the permitted road to the User Agency is 4km distance from the stone crusher unit of the User Agency and Nellore Division is taking up Karthikavanam tree planting in Sangam RF under MNREG scheme and the vehicle movement in the permitted road will affect the developmental activities taken up by the Department and hence the User Agency has proposed a new road involving diversion of forest land to an extent



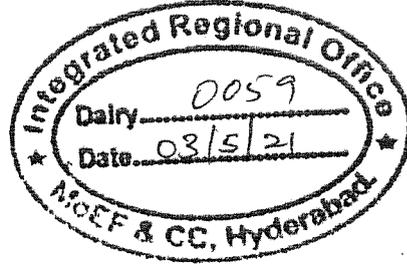
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10/5/2021
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Annexure - ④ V
- 3 pages.

कार्यालय प्रमुख/Head of Office
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग
Ministry of Environment, Forest & Climate Change
ए.जे.का. हैदराबाद/R.O. HYDERABAD



30-04-2021

Hyderabad

To

The Regional officer (central)

Integrated Regional Office, Hyderabad

Aranya Bhavan Opposite Reserve Bank of India, Saifabad

Hyderabad-500004(w.e)

Subject: Complaint against the forest encroachment land clearance proposals by the Deccan Cements Ltd. Named DCL railway sliding 2 with proposal number: FP/TG/RAIL/138554/2021 dated 19-03-2021 over an extent of 8.02 hectares reg.s

Respected sir,

I am Vakkanti Koteswar rao s/o Narayana r/o Komatikunta village, Paalakeedu mandal, Suryapet district, and Telangana state.

The Deccan Cements Ltd. Bhavaipuram, Paalakeedu mandal, Suryapet district, Telangana state submitted the proposal for the forest encroachment land clearance Named DCL railway sliding 2 with proposal number: FP/TG/RAIL/138554/2021 dated 19-03-2021 over an extent of 8.02 hectares.

The proposal was recommended by the DFO, Suryapet to the Chief Conservator of Forests, Khammam through letter RC.NO: 846/2021/S5 dated 15-04-2021 along with the inspection report dated 10-04-2021 and form-1 and form-2 requesting him to accept the proposal.

In form-3, the (FAC) Conservator of Forests, Khammam circle also recommended the proposal to the PCCF (HOFF), Telangana state through the letter dated 16-04-2021.

The PCCF (HOFF), Telangana state also recommended the proposal to the Special Chief Secretary of government, Forest Department through the letter no: 5344/2021/FCA-4 dated 22-04-2021.

The Special Chief Secretary of Government wrote to the Regional Officer (central), IRO, Hyderabad requesting you to obtain and communicate the approval of the Government of India, Ministry of Environment and Forests, for the proposal of the forest encroachment land clearance of Deccan Cements Ltd.

I request you to take the following objections into consideration regarding this proposal.

- 1) In part 2 of the recommendation letter of the DFO, Suryapet, It was stated that the Joint Committee constituted by the Honourable NGT recommended the regularisation of the 8.02 hectares of the encroached forest area. But the Honourable NGT never recommended the regularisation of the encroached area but only discussed about the action to be taken against the encroachment.
- 2) As the case is pending i.e OA no: 33 of 2016(SZ) before the Honourable NGT, Chennai. The MOEF regional office received orders from the Honourable NGT for the action taken reports on the encroachment issue of the Deccan Cements Ltd. Several orders were given by the Honourable NGT between the dates 19-08-2020 to the most recent order dated 22-03-2021. But even after receiving several remainders from the Honourable NGT, The Regional office, MOEF failed to submit the action taken report till date. You also know this fact.
- 3) In the order received from the Honourable NGT dated 22-03-2021, the Honourable NGT clearly questioned that the joint committee was discussing about the regularisation of the encroached forest area instead of the action taken on the violator.
- 4) The basic duty of the regulating bodies is to protect the forests by implementing and respecting the laws. In the above matter, the regulating bodies recognised the violations done by the user agency (Deccan Cements Ltd) which were also acknowledged by the user agency. But instead of punishing the law breakers, the regulating agencies are advising them to regularise the encroached forest area.
- 5) I lodged a complaint at the PCCF (HOFF), Forest Department, Aranyabhavan Hyderabad on 25-08-2020 to stop the trespassing in the encroached forest land declared by the Joint Committee immediately. But there was no action taken on the complaint filed and the forest department failed to take back the encroached forest land till date. This is a clear proof of the professional dishonesty of the forest department officials.
- 6) The DFO, Suryapet only issued a show cause notice to the Deccan Cements Ltd. Regarding this issue through RC.no: 789/2020/S4 on date 01-07-2020 without taking any action on the violator. Moreover the DFO, Suryapet colluded with the violator and recommended the regularisation of the encroached forest land.
- 7) All of these activities of the regulatory bodies are against the Forest Conservation Act 1980.
- 8) There is another complaint regarding the mine-3 of the Deccan Cements Ltd in the Honourable Lokayuktha regarding the professional dishonesty of the regulating bodies. The case no: 223/2021/B1/1864/2021 dated 31-03-2021 is still pending in the Honourable Lokayuktha.
- 9) As you already know that this issue is pending at the Honourable NGT, I request you to dismiss the proposal immediately.

Therefore I strongly object the granting of the forest clearances and request you to reject the proposal named DCL railway sliding 2 with proposal number: FP/TG/RAIL/138554/2021 dated 19-03-2021 over an extent of 8.02 hectares.

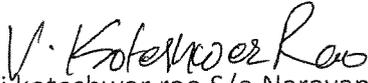
If you grant the forest clearances to the above proposal even after receiving this complaint, I will have to proceed lawfully against you for professional dishonesty and the Deccan Cements Ltd for violating the laws.

I hope that you take positive action on this regard.

Thank you

Copy to: The Director, MOEF&CC, New Delhi.

From


Vakkanti koteswar rao S/o Narayana

R/o komatikunta village, Paalakeedu mandal,

Suryapet district, Telangana state.

LIST OF ENCLOSURES

- 1) RC no: 846/2021/S5 dated 15-04-2021 from the DFO, Suryapet to Chief Conservator of Forests, Khammam along with the inspection report, form 2 and form 3.
- 2) Ref.no: 5344/2021/FCA-4 dated 22-04-2021 from Principal Chief Conservator of Forests, Hyderabad to the Special Chief Secretary to Government, Forest Department.
- 3) Letter no: 1632/For.1 (1)/2020 from the Special Chief Secretary to Government, Forest Department to the Regional Officer (central), IRO, Hyderabad.
- 4) Complaint lodged at the PCCF (HOFF), Forest Department, Telangana State on date 25-08-2020
- 5) show cause notice to the Deccan Cements Ltd. From the DFO, Suryapet through RC.no: 789/2020/S4 on date 01-07-2020
- 6) Honourable NGT order copies of the case OA no: 33 of 2016 (SZ) dated
A) 19-08-2020, B) 06-11-2020, C) 11-01-2021, D) 22-02-2021, E)22-03-2021

भारत सरकार/Government of India
खान मंत्रालय/Ministry of Mines
भारतीय खान ब्यूरो/Indian Bureau of Mines
हैदराबाद क्षेत्रीय कार्यालय/Hyderabad Regional Office

Phone No. : (040)-27539992/2753993
Fax No.(TF): (040)-27539991
E-Mail : ro.hyderabad@ibm.gov.in
No.AP/NLG/MP/Mn-73/Hyd

Room no. 603.6th Floor,
CGO Towers, Kavadi guda,
Secunderabad – 500 080.

Date: 9 Feb 2015

To
Shri P.Venugopal Raju, Owner
M/s. Deccan Cements Limited,
Deccan Chambers, 3rd Floor,
6-3-666/B, Somajiguda,
Hyderabad – 500 082.

Sub: Approval of modifications to approved Mining Plan in respect of Bhavanipuram Limestone Mine over an extent of 183.11 ha in Compartment nos. 26 & 27, Saidulnama RF, Raviphad village, Nereducherla (M), Nalgonda dist., Telengana submitted under Rule 10 of MCDR, 1988.

Ref: 1. Your letter no.nil dated 22.12.2014.
2. Our letter of even no.dated 16.1.2015.
3. Your letter no.nil dated 23.1.2015 received in this Office on 28.1.2015

Sir,

In exercise of the power delegated to me under rule 10(2) of Mineral Conservation & Development Rules, 1988 vide Gazette Notification No. T-43010/CGBM/88 dated 27.04.1989, I hereby approve the Modification to the Approved Mining Plan including Progressive Mine Closure Plan of Bhavanipuram Limestone mine over an extent of 183.11 hecets in Compartment nos 26 & 27, Saidulnama RF Ravipahad Village, Nereducherla Mandal, Nalgonda district of Telangana State, submitted under rule 10 of MCDR, 1988. This approval is subject to the following conditions:

- (i) The modifications to approved Mining Plan is approved without prejudice to any other law applicable to the mine area from time to time whether made by the Central Government, State Government or any other authority and without prejudice to any order or direction from any court of competent jurisdiction.
- (ii) The proposals shown on the plates and/or given in the document is based on the lease map /sketch submitted by the applicant/ lessee and is applicable from the date of approval.
- (iii) It is clarified that the approval of aforesaid modifications to approved Mining Plan does not in any way imply the approval of the Government in terms of any other provision of Mines & Minerals (Development & Regulation) Act, 1957, or the Mineral Concession Rules, 1960 and any other laws including Forest (Conservation) Act, 1980, Environment (Protection) Act, 1986 or the rules made there under, Mines Act, 1952 and Rule & Regulations made there under.
- (iv) Indian Bureau of mines has not undertaken verification of the mining lease boundary on the ground and does not undertake any responsibility regarding correctness of the boundaries of the leasehold shown on the ground with reference to lease map & other plans furnished by the lessee.
- (vi) At any stage, if it is observed that the information furnished, data incorporated in the document are incorrect or misrepresent facts, the approval of the document shall be revoked with immediate effect.

Yours faithfully.

Encl: One copy of approved Mining Plan containing 111
Sheets, Annexures 24 and 15 Plates.

(P.N. Sharma)
Regional Controller of Mines

Copy for kind information to:

1. M/s. B S Envi.Tech (P) Ltd., # 12-13-1270/71/73, Amity ville, St. Anns. Rd., Tarnaka, Secunderabad, Telangana State – 500 017.
2. The Deputy Director of Mines Safety, Hyderabad Region-1, 7 th Floor, CGO Towers, Kavadi guda, Secunderabad, 500080.– along with copy of Approved Mining Plan.
3. The Director of Mines and Geology, Govt. of Andhra Pradesh, Hyderabad along with copy of Approved Mining Plan.

(P.N. Sharma)
Regional Controller of Mines

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 9th September, 2011

OFFICE MEMORANDUM

Sub: Consideration of projects for grant of environment clearance under EIA Notification, 2006, which involve forestland – Procedure to be followed – further clarifications - Regarding.

Ministry of Environment & Forests had earlier issued an office memorandum vide no. J-11015/200/2008-IA.II(M) dated 31.3.2011 prescribing the procedure to be followed for consideration of projects for environmental clearance, which involve forestland.

2. Based on the experience gained in implementation of the instructions contained in the above referred O.M. and taking into consideration the inputs / feedback received from various stakeholders as also in light of the judgment of the Hon'ble Supreme Court dated 6.7.2011 in the IA No. 1868, 2091, 2225-2227, 2380, 2568 & 2937 in W.P. No. 202 of 1995 – T.N. Godavarman Thirumulpad Vs. UOI & Ors in Lafarge Mining / Forest case, the matter has been further considered.

3. Now, therefore, in partial amendment of the above referred O.M. dated 31.3.2011, it has been decided that the following procedure shall be adopted for consideration of projects for environmental clearance, which involve forestland:

(i) At the stage of consideration of proposals for TOR in respect of the projects involving forestland, the project proponents would submit a credible proof in support of the fact that they have already submitted their application to the concerned Competent Authority for diversion of the forestland involved in the project.

(ii) At the stage of consideration of proposals for EC in respect of projects involving forestland, the project proponent would inform the respective EACs about the status of their application for forestry clearance along with necessary supporting documents from the concerned Forest Authorities. It will clearly be informed to the EAC whether the application is at the State level or at the Central level. The EAC will take cognizance of the involvement of forestland and its status in terms of forestry clearance and make their recommendations on the project on its merits. After the EAC has recommended the project for environmental clearance, it would be processed on file for obtaining decision of the Competent Authority for grant of environmental clearance. In the cases where the Competent Authority has approved the grant of environmental clearance,

the proponent will be informed of the same and a time limit of 12 months, which may be extended in exceptional circumstances to 18 months, a decision on which will be taken by the Competent Authority, will be given to the proponent to submit the requisite stage-I forestry clearance. The formal environmental clearance will be issued only after the stage-I forestry clearance has been submitted by the proponent.

- (iii) In the eventuality that the stage-I forestry clearance is not submitted by the proponent within the prescribed time limit mentioned at para (ii) above, the proposal for environmental clearance will stand rejected and the entire process of obtaining environmental clearance will have to be initiated de-novo as per the procedure prescribed under EIA Notification, 2006.

4. The requirement of information / data / documents for such projects as specified in office memorandum no. J-11013/41/2006-IA.II(I) dated 26.4.2011 will, however, continue to be completely followed.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs/SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:-

1. PS to MEF
2. PPS to Secretary (E&F)
3. PPS to SS(JMM)
4. Advisor (NB)
5. Website, MoEF
6. Guard File

CHECK-LIST

OF

DOCUMENTS/INFORMATION REQUIRED FOR PROPOSAL
FOR DIVERSION OF FOREST LAND FOR NON FORESTRY USE
UNDER FOREST (CONSERVATION) ACT, 1980

FOR STAGE-I APPROVALS

I Documents/Information Required for All Proposals

S.No.	Name of the Document (s)	Provided or Not	If not Provided Why?	Page Number
1	Check-list of the project proposal			
2	Demand letter of the project authority/ applicant, if submitted.			
3	Main application form from Part-I to V as prescribed in the Rules under the FCA with all its columns duly filled up and signed by the competent authority with date, place and official seal. All the information in Part-I of Form-A including item-wise breakup of the forest area required, must be given in the form itself by expanding the columns			
4	Detailed note on the project. It must include the information regarding the number of villages and number of persons to be benefited from the project including employment generation.			
5	Map of the project site/forest area required clearly showing forest boundaries and adjoining areas with their land use in distinct colours in 1:50000 or any suitable scale on original Survey of India topo sheet. If the area is very small, in addition to above, an index map may be submitted showing forest boundaries and a location map on a larger scale with land use of the area required duly signed by DFO/CF concerned.			
6	Layout plan of project site approved by competent authority. In case of linear diversion of forest land, linear map or a diagrammatic map of the project site should be enclosed.			

7	Statement showing the details of forest area involved i.e. Survey No. /Coupe No. /Compartment No., etc., and item-wise breakup of the forest area proposed for diversion duly signed by DFO (in the prescribed format).			
8	Statement showing the details of non-forest area involved in the proposal (in the prescribed format).			
9	Certificate from the Collector/Deputy Commissioner that no alternative suitable non-forest land is available for the project in question.			
10	Justification for locating the project in forest area to be submitted by User Agency and countersigned by DFO.			
11	Certificate for minimum use of forest land to be submitted by the User Agency, giving details of area and trees involved in the alternatives examined and reasons for their rejection duly countersigned by DFO (in the prescribed format).			
12	Undertaking by the User Agency to bear the cost of compensatory afforestation duly counter signed by the DFO (in the prescribed format).			
13	Undertaking by the User Agency to pay the Net Present Value (NPV) of the forest land involved duly countersigned by DFO (in the prescribed format).			
	Undertaking by the User Agency to pay the Additional Net Present Value (NPV), if any, of the forest land involved duly countersigned by DFO (in the prescribed format) as decided at a later date as per the decision of the Supreme Court.			
14	A certificate from the competent authority in the State in the prescribed (vide MoEF letter No. 11-9/98-FC (pt.) dated 5 th July 2013) format that all forest rights under the Forest Rights Act, 2006 have been settled in respect of the forest area proposed for diversion, wherever applicable. In case, the process for settlement of rights under FRA has not been initiated, grant of stage-I approval under the FCA to the proposal will be considered only if a certificate from the competent authority concerned, clearly stating that the process for settlement of rights under the FRA has not been initiated along with evidences			

	supporting that settlement of rights under the FRA will be initiated and completed before the final approval, is enclosed with the proposal (vide F. No. 11-179/2012-FC Dated: December 20, 2013).			
15	Species-wise and girth class-wise enumeration list and abstract of trees (<i>abstract to be given at the end of the list</i>) standing on the forest area in question neatly typed or computerized and duly signed by DFO.			
16	Site inspection report of the forest area involved in the project proposal by the DFO concerned or higher level forest officer in prescribed format (<i>in the prescribed format</i>).			
17	Details of non-forest land/degraded forest area identified for compensatory afforestation viz. Survey No./ Compartment No./Khasra No./Khatoni No., Village, Tehsil, District, etc., along with map in appropriate scale showing the boundaries of adjoining forest areas with their use in distinct colours (<i>in the prescribed format</i>).			
18	Detailed scheme for compensatory afforestation on identified non-forest area/ degraded forest area, as the case may be, at prevalent wage rates duly signed by DFO and countersigned by the CF concerned. The CA scheme must include all the technical details, details of work schedule, total financial outlay and proposed monitoring mechanism (<i>in the prescribed format</i>).			
19	Certificate from the DFO, that non-forest land selected for compensatory afforestation is in a compact block and contiguous to forest area or in close proximity of forest area and suitable from the management and protection point of view.			
20	Suitability certificate from the Divisional Forest Officer that the land identified for compensatory afforestation is suitable for raising plantation (<i>in the prescribed format</i>).			
21	Certificate from the Chief Secretary regarding non-availability of non-forest land in the state for raising compensatory afforestation, wherever applicable. This certificate will be based on the certificate signed by the DFO and Deputy Commissioner/Collector of the district concerned about non-availability of such non-forest land.			
22	In case of proposal which requires entry/exit through Protected Forest strips along			

	roads/railway lines/canals, the following information/documents must be given :- a) No Objection Certificate (NOC) of the land owning agency i.e. NHAI/PWD, Railways or Canal/ Irrigation Department b) Change of Land Use certificate from Town and Country Planning/ any other competent authority.			
23	For the projects involving forest land for construction of buildings/right of way for buildings, the built-up area, details of DG sets to be installed, and raw materials to be used (<i>in case of industries</i>) should be clearly mentioned.			
24	Status of clearance under Environment (Protection) Act, 1986, wherever required.			
25	NOC of the State Pollution Control Board for establishment of the project, wherever required.			
26	Detailed scheme for rehabilitation of project affected persons, wherever required.			
27	Detailed Catchment Area Treatment Plan, wherever required. The CAT Plan should be prepared on the basis of actual survey of area and its classification in various categories requiring different engineering/ afforestation and other treatments in phased manner.			
28	Detailed Reclamation Plan, wherever required. It should be realistic exhaustive and complete in all respects along with relevant maps in distinct colours. It should also include the details of back fillings, afforestation and execution of such works, wherever required.			
29	Cost benefit analysis as per the guidelines issued under forest (Conservation) Act, 1980 in prescribed format, wherever required.			
30	Any other information/documents necessary for giving clarifications on the project, may be specified and attached.			

II Documents/Information Required for Proposals for Roads, Railway Lines, Canals and Transmission Lines				
31	The following information/documents must be given :- a) Length and width of Road/Railway line/ Canal/ Transmission line passing through forest and non forest area. b) In case of expansion of already			yes

	<p>existing road/railway line/canal, linear plan clearly showing in distinct colours the already existing road (from beginning to end), the width of the proposed road/railway line/canal to be expanded, and the remaining width of the Protect Forest strip, if any, which would be left after expansion.</p> <p>c) In case of transmission line, the following details may also be given :-</p> <p>i) Number of towers to be erected both in forest and non forest area.</p> <p>ii) Width of the right of way for transmission line.</p>			
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III Documents/Information Required for Proposals for Hydro Electric Projects				
32	<p>The following information/document must be given :-</p> <p>a) Component-wise total area requirement</p> <p>b) Copy of Memorandum of Understanding</p> <p>c) Copy of Techno-Economic Clearance</p> <p>d) Copy of Implementation Agreement</p> <p>e) NOC from Irrigation and Public Health Department</p> <p>f) NOC from Fisheries Department</p> <p>g) Authorization to the applicant by the Project Authority</p>			

IV Documents/Information Required for Proposals for Mining				
33	<p>The following information/documents must be given :-</p> <p>I New Proposals</p> <p>a) Certificate from the competent authority like District Mining Officer/Geologist, regarding non-availability of the same mineral/ore in the nearly non-forest area.</p> <p>b) Estimated reserve of each mineral/ore in the forest area and non-forest area.</p> <p>c) Total area demanded and extent of forest area involved in the proposed</p>			

mining lease shown in distinct colours on relevant maps

- d) Proposed period of mining lease.
- e) Minimum distance of the proposed site from Wildlife Sanctuary and National Park.
- f) A copy of the mining plan duly approved by IBM, Nagpur
- g) Phased reclamation plan of the project area.
- h) Copy of lease deed/agreement entered into with the district authorities.
- i) The details of Safety Zone Area for the mining as per para 4.7 of the guidelines. The undertaking from the project authority to bear the cost of fencing of safety zone area and afforestation over one and half times of degraded forest area. The details of safety zone to be ascertained by the competent authority viz. Indian Bureau of Mines/ Deptt., of Geology and Mining of the State Government.

II) In case of renewal of Mining Lease

- a) A brief profile of the lessee/ company should be submitted giving details of their existing mining leases in the State with their capacity of production, the present level of average annual production, location of these pits and the status of reclamation of forest land that are exhausted of minerals.
- b) Complete details of existing or proposed leases in that particular forest area with their present status should be indicated on the Survey of India Topo-sheet in appropriate scale
- c) The State Government shall forward the complete proposal to the RO/MoEF at least six months prior to the expiry of the existing lease. In case of any delay, a details report elaborating the causes of delay shall be forwarded along with the

	<p>proposal.</p> <p>d) A resolution of Gram Panchayat/ Local Body of the area endorsing the proposal that the project is in the interest of the people living in and around the proposed forest land.</p>			
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V	Documents/Information Required for Proposals for Retail Outlets of an Oil Companies			
34	<p><i>The following information/ documents must be given :-</i></p> <p>a) Copy of letter of intent issued by the oil Company.</p> <p>b) Site selection certificate as per Govt. of India guidelines. The DFO should certify the distance between two retail outlets on either side of the outlet in question.</p> <p>c) Layout plan showing dimensions of proposed approach road for entry and exit with clear area calculations.</p> <p>d) Map clearly indicating the directions of the road leading from....to.....</p> <p>e) The area calculations for the curves should invariably be given in the layout plan.</p> <p>f) NOC from NHAI/PWD/Urban or local body</p> <p>g) NOC from Town and Country Planning/ local body</p> <p>h) Certificate by User Agency to the effect that no High Tension line passing above the proposed site duly countersigned by DFO</p> <p>i) A Certificate by User Agency to the effect that no LP Gas godown is located near the proposed site duly countersigned by DFO</p>			

Date.....
 Place.....
 Seal_____

Divisional Forests Officer
Forest Division
 Office

By Speed Post/Online

No. J-11015/375/2015-IA.II (M)
Government of India
Ministry of Environment, Forest and Climate Change
Impact Assessment Division

Indira Paryavaran Bhavan,
Vayu Wing, 3rd Floor,
Aliganj, Jorbagh Road,
New Delhi-110 003

Dated: 5th January, 2017

To,

M/s Deccan Cement Limited
Sri S.Venkateswarlu
Vice President (works)
Mahankaligudem
Neredcherla mandal, Nalagonda District
Telangana

Tel. No. 040-23310168
Email: venkat.s@deccancements.com

Sub.: Enhancement of Bhavanipuram Limestone Mine with production capacity from 0.3 million TPA to 2.3 million TPA of limestone by M/s. Deccan Cement Ltd., located at village(s)- Ravipahad Mandal- Nereducherla, District Nalagonda, Telangana (MLA: 183.11 ha) - Environmental Clearance - regarding.

Reference: Online Proposal no. IA/TG/MIN/31400/2015

Sir,

This has reference to your online application for the above mentioned proposal for Enhancement of Limestone Mine with production capacity from 0.3 million TPA to 2.3 million TPA of limestone in the mine lease area of 183.11 ha. The mine lease area is located at village Ravipahad Mandal- Nereducherla, District Nalagonda, Telangana. The Coordinates of the four corners of the 100 ha mining lease area are: 16°42'27.00" N - 16°43'17.00" N Latitude and 79°42'37.00" E 79°44'13.00" E, 56P/9, 56P/13, 56P/10 & 56 P/14. The lease area falls in Seismic Zone II.

2. The proposal of Terms of Reference (ToR) was considered by the EAC in its 1st Meeting held during December 21st -22nd, 2015 to determine the TOR for undertaking detailed EIA study. The ToR were issued by MoEFCC, vide letter No J-11015/375/2013-IA.II(M), dated 8th January, 2016. The Proposal is to enhance Lime stone production of Bhavanipuram Lime stone Mine-3 from 0.3 to 2.3 MTPA to meet the Lime stone requirement of cement plant due to exhaust of reserves at Bhavanipuram Lime stone mine-2. The Proponent submitted the EIA/EMP Report online to Ministry portal for seeking environmental clearance after conducting the Public Hearing.

3. The proposal is for enhancement of Deccan Cement Ltd Limestone Mine with production capacity from 0.3 million TPA to 2.3 million TPA of limestone. The mine lease area is 183.11 ha. Out of total mine lease 151.17ha is forest land and 2.94

ha is agricultural land. The lease was issued in the name of Deccan Cement Ltd. and is valid up to 27.12.2033. It was further extended by State Govt. up to 27.12.2043 as per Section 8 A of the MMDR Amended Act, 2015 and a letter is issued by the Asst. Director of Mines and Geology, Nalagonda-II Miryalaguda, vide letter no 484/M2/2007, dated 28.12.2013. The Mining Scheme with Progressive Mine Closure Plan for 183.11 ha area was approved by the Regional Controller of Mines, Indian Bureau of Mines, vide letter no. AP/NLG/MP/Mn- 73/HYD, dated 09th February, 2015.

4. Project Proponent reported that limestone mining is being carried out by fully semi mechanized opencast method using Heavy Earth Moving Machines and deep hole drilling and blasting with large dia holes. At the conceptual stage, out of the total mining lease area (i.e. 183.11 ha), 151.17 total mined-out area will be developed in to water reservoir out of which about 5.35 Ha along the mine lease boundary will be afforested under green belt development, 3.37 ha will be developed under work shop, mine office, crusher, road etc and remaining 23.22ha area (Blocked under Public Road & Electrical line. Total water requirement is 300 KLD. Project Proponent reported that mining will not intersect ground water table at the conceptual stage. Top soil generation for life of mine is 183110 cu.m. This will be disposed to the barrier zone of 7.5 m and the safety zone of road and is used for green belt development.

5. The Project Proponent reported that there is no National Parks/Wildlife Sanctuaries/Biosphere Reserves/Wildlife Corridors/Tiger/Elephant Reserves are located within the 10 km study area of the mine lease. The authenticated location map has been submitted by the Principal Conservator of Forests, Hyderabad, vide letter no 31015/2007/E2, dated 13.08.2013 Project Proponent reported that there is no Schedule species reported in the buffer area.

6. The Baseline data was collected for the period Winter Season i.e. December 2015 to February 2016. The analytical results of samples collected for all parameters were found within permissible limits. The Committee deliberated the baseline data presented by the Project Proponent.

7. Public Hearing was conducted on 15 July, 2016 at Project Site of JK Lakshmi Cement Ltd. Village(s)- Ravipahad Mandal- Nereducera, District-Nalagonda, Telangana. The Public Hearing was presided over by Shri Ravi Nayak, Revenue Divisional Officer & ADM, Nalagonda. The representatives of the Telangana State Pollution Control Board, Nalagonda were also present. The issues raised during Public Hearing were also considered and discussed during the meeting, which inter-alia, included source of Drinking water, impact on Gaucher land, impact of blasting, benefit of expansion project & providing assistance for employment. Action plan with budgetary allocation has been given against Points raised in Public hearing.

8. Total cost of the Project is Rs. 120 Crores. Capital Cost for environmental protection measures is Rs. 95 Lakhs and Recurring cost is Rs. 40 Lakhs per annum and Rs. 25 Lakhs for mine closure plan. Project Proponent has earmarked Rs.637.78 Lakhs towards CSR activities for next ten years w.r.t. sustainable livelihood, education & capacity building, health care, social reforms and community development. Project Proponent reported that there is no court case/litigation pending against the project.

9. The Ministry of Environment, Forest and Climate Change has examined the proposal in accordance with the Environmental Impact Assessment Notification, 2006 and further amendments thereto and hereby accords the environmental

clearance under the provisions thereof to the above mentioned proposal of **M/s Deccan Cement Ltd for Enhancement of Limestone Mine with production capacity from 0.3 million TPA to 2.3 million TPA of limestone, located at village(s)- Ravipahad Mandal- Nereducerla, District Nalagonda, Telangana** subject to compliance of the followings terms and conditions and environmental safeguards mentioned below:

A. Specific conditions

- 1) **The Project Proponent may ensure the finalization of surface rights of agriculture land and change of Land Use Certificate from the Competent Authority, before starting the mining operations as required under law.**
- 2) The Project Proponent shall obtain Consent to Operate from the State Pollution Control Board, Himachal Pradesh and effectively implement all the conditions stipulated therein.
- 3) Cumulative impact assessment for air quality shall be carried out and report shall be submitted along with implementation plan of the suggested mitigation measures to Regional Office of MoEF within one year.
- 4) Project Proponent shall appoint an Occupational Health Specialist for Regular and Periodical medical examination of the workers engaged in the Project and records maintained; also, Occupational health check-ups for workers having some ailments like BP, diabetes, habitual smokers, etc. shall be undertaken once in six months and necessary remedial/preventive measures taken accordingly. Recommendations of National Institute for Labour for ensuring good occupational environment for mine workers would also be adopted; All the old age people of the surrounding villages may be provided medical facilities.
- 5) Transport of minerals shall be done either by dedicated road or it should be ensured that the trucks/dumpers carrying the mineral should not be allowed to pass through the villages. The Project Proponent shall ensure that the road may not be damaged due to transportation of the mineral; and transport of minerals will be as per IRC Guidelines with respect to complying with traffic congestion and density.
- 6) Implementation of Action Plan on the issues raised during the Public Hearing. The Proponent shall complete all the tasks as per the Action Plan submitted with the budgetary provisions during the Public Hearing.
- 7) The pollution due to transportation load on the environment will be effectively controlled & water sprinkling will also be done regularly. Vehicles with PUC only will be allowed to ply. The mineral transportation shall be carried out through covered trucks only and the vehicles carrying the mineral shall not be overloaded. Project should obtain 'PUC' certificate for all the vehicles from authorized pollution testing centre.

- 8) Project Proponent shall ensure the safeguard and wellbeing of villagers and school, regular health monitoring of all residents in the area and the compliance Report shall be submitted to the Regional office of the Ministry.

B. Standard conditions

- 1). A Final Mine Closure Plan along with details of Corpus Fund shall be submitted to the Ministry of Environment, Forest and Climate Change 5 years in advance of final mine closure for approval.
- 2). No change in mining technology and scope of working should be made without prior approval of the Ministry of Environment, Forest and Climate Change.
- 3). No change in the calendar plan including excavation, quantum of mineral and waste should be made.
- 4). The project proponent shall obtain necessary prior permission of the competent authorities for drawl of requisite quantity of water (surface water and ground water) for the project.
- 5). Mining shall be carried out as per the provisions outlined in mining plan approved by Indian Bureau of Mines (IBM)/State Mines and Geology Department as well as by abiding to the guidelines of Directorate General Mines Safety (DGMS).
- 6). The lands which are not owned by Proponent, mining will be carried out only after obtaining the consents from all the concerned land owners as per the provisions of the Mineral Concession Rules, 1960 and MMDR Act, 1957.
- 7). Digital processing of the entire lease area using remote sensing technique shall be carried out regularly once in three years for monitoring land use pattern and report submitted to Ministry of Environment, Forest and Climate Change its Regional Office.
- 8). The critical parameters as per the Notification 2009 such as PM₁₀, PM_{2.5}, NO_x, and SO_x etc. in the ambient air within the impact zone, peak particle velocity at 300m distance or within the nearest habitation, whichever is closer shall be monitored periodically. Further, quality of discharged water shall also be monitored [(TDS, DO, PH and Total Suspended Solids (TSS)]. The monitored data shall be uploaded on the website of the company as well as displayed on a display board at the project site at a suitable location near the main gate of the Company in public domain. The circular No. J-20012/1/2006-IA.II (M) dated 27.05.2009 issued by Ministry of Environment, Forest and Climate Change shall also be referred in this regard for its compliance.

- 9). The Proponent shall install online Ambient Air Quality Monitoring System and there should be system for display of digital AAQ data within 03 months at least at three locations as per wind direction. Online provisions of pH and turbidity meters at discharge points of STP and ETP and also at water storage ponds in the mining area may be made. Project Proponent should display the result digitally in front of the main Gate of the mine site.
- 10). Effective safeguard measures such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high levels of PM₁₀ and PM_{2.5} such as haul road, loading and unloading point and transfer points. Fugitive dust emissions from all the sources shall be controlled regularly. It shall be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard. Monitoring of Ambient Air Quality to be carried out based on the Notification 2009, as amended from time to time by the Central Pollution Control Board.
- 11). Regular monitoring of ground water level and quality shall be carried out in and around the mine lease by establishing a network of existing wells and constructing new piezometers during the mining operation. The project proponent shall ensure that no natural water course and/or water resources shall be obstructed due to any mining operations. The monitoring shall be carried out four times in a year pre- monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the data thus collected may be sent regularly to Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority and Regional Director, Central Ground Water Board.
- 12). Regular monitoring of the flow rate of the springs and perennial nallahs flowing in and around the mine lease shall be carried out and records maintain. The natural water bodies and or streams which are flowing in an around the village, should not be disturbed. The Water Table should be nurtured so as not to go down below the pre-mining period. In case of any water scarcity in the area, the Project Proponent has to provide water to the villagers for their use. A provision for regular monitoring of water table in open dug well located in village should be incorporated to ascertain the impact of mining over ground water table.
- 13). Regular monitoring of water quality upstream and downstream of water bodies shall be carried out and record of monitoring data should be maintained and submitted to the Ministry of Environment, Forest and Climate Change and its Regional Office, Central Ground Water Authority, Regional Director, Central Ground Water Board, State Pollution Control Board and Central Pollution Control Board.
- 14). Transportation of the minerals by road passing through the village shall not be allowed. A 'bypass' road should be constructed (say, leaving a gap of at least 200 meters) for the purpose of transportation of the minerals so that

the impact of sound, dust and accidents could be mitigated. The project proponent shall bear the cost towards the widening and strengthening of existing public road network in case the same is proposed to be used for the Project. No road movement should be allowed on existing village road network without appropriately increasing the carrying capacity of such roads.

- 15). The illumination and sound at night at project sites disturb the villages in respect of both human and animal population. Consequent sleeping disorders and stress may affect the health in the villages located close to mining operations. Habitations have a right for darkness and minimal noise levels at night. PPs must ensure that the biological clock of the villages is not disturbed; by orienting the floodlights/ masks away from the villagers and keeping the noise levels well within the prescribed limits for day light/night hours.
- 16). Main haulage road in the mine should be provided with permanent water sprinklers and other roads should be regularly wetted with water tankers fitted with sprinklers. Crusher and material transfer points should invariably be provided with Bag filters and or dry fogging system. Belt-conveyors should be fully covered to avoid air borne dust.
- 17). Main haulage road in the mine should be provided with permanent water sprinklers and other roads should be regularly wetted with water tankers fitted with sprinklers. The material transfer points should invariably be provided with Bag filters and or dry fogging system. In case of Belt-conveyors facilities the system should be fully covered to avoid air borne dust; Use of effective sprinkler system to suppress fugitive dust on haul roads and other transport roads shall be ensured.
- 18). Sufficient number of Gullies to be provided for better management of water. Regular Monitoring of pH shall be included in the monitoring plan and report shall be submitted to the Ministry of Environment, Forest and Climate Change and its Regional Office on six monthly basis.
- 19). There shall be planning, developing and implementing facility of rainwater harvesting measures on long term basis and implementation of conservation measures to augment ground water resources in the area in consultation with Central Ground Water Board.
- 20). The Project Proponent has to take care of gullies formed on slopes. Dump mass should be consolidated with proper filling/leveling with the help of dozer/compactors.
- 21). The reclamation at waste dump sites shall be ecologically sustainable. Scientific reclamation shall be followed. The local species may be encouraged and species are so chosen that the slope, bottom of the dumps and top of the dumps are able to sustain these species. The aspect of the dump is also a factor which regulates some climatic parameters and allows

only species adopted to that micro climate.

- 22). The top soil, if any, shall temporarily be stored at earmarked site(s) only and it should not be kept unutilized for long. The topsoil shall be used for land reclamation and plantation. The over burden (OB) generated during the mining operations shall be stacked at earmarked dump site(s) only and it should not be kept active for a long period of time. The maximum height of the dumps shall not exceed 8m and width 20 m and overall slope of the dumps shall be maintained to 45°. The OB dumps should be scientifically vegetated with suitable native species to prevent erosion and surface run off. In critical areas, use of geo textiles shall be undertaken for stabilization of the dump. The entire excavated area shall be backfilled and afforested. Monitoring and management of rehabilitated areas should continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Ministry of Environment, Forest and Climate Change and its Regional Office on six monthly basis.
- 23). Catch drains and siltation ponds of appropriate size shall be constructed around the mine working, mineral and OB dumps to prevent run off of water and flow of sediments directly into the river and other water bodies. The water so collected should be utilized for watering the mine area, roads, green belt development etc. The drains shall be regularly desilted particularly after monsoon and maintained properly. The drains, settling tanks and check dams of appropriate size, gradient and length shall be constructed both around the mine pit and over burden dumps to prevent run off of water and flow of sediments directly into the river and other water bodies and sump capacity should be designed keeping 50% safety margin over and above peak sudden rainfall (based on 50 years data) and maximum discharge in the area adjoining the mine site. Sump capacity should also provide adequate retention period to allow proper settling of silt material. Sedimentation pits shall be constructed at the corners of the garland drains and desilted at regular intervals.
- 24). Plantation shall be raised in a 7.5m wide green belt in the safety zone around the mining lease, backfilled and reclaimed area, around water body, along the roads etc. by planting the native species in consultation with the local DFO/Agriculture Department and as per CPCB Guidelines. The density of the trees should be around 2500 plants per ha. Greenbelt shall be developed all along the mine lease area in a phased manner and shall be completed within first five years.
- 25). Project Proponent shall follow the mitigation measures provided in Office Memorandum No. Z-11013/57/2014-IA.II (M), dated 29th October, 2014, titled "Impact of mining activities on Habitations-Issues related to the mining Projects wherein Habitations and villages are the part of mine lease areas or Habitations and villages are surrounded by the mine lease area".

- 26). The Project Proponent shall make necessary alternative arrangements, where required, in consultation with the State Government to provide alternate areas for livestock grazing, if any. In this context, Project Proponent should implement the directions of the Hon'ble Supreme Court with regard to acquiring grazing land. The sparse trees on such grazing ground, which provide mid-day shelter from the scorching sun, should be scrupulously guarded against felling and plantation of such trees should be promoted.
- 27). The project proponent shall take all precautionary measures during mining operation for conservation and protection of endangered fauna, if any, spotted in the study area. Action plan for conservation of flora and fauna shall be prepared and implemented in consultation with the State Forest and Wildlife Department. A copy of action plan shall be submitted to the Ministry of Environment, Forest and Climate Change and its Regional Office.
- 28). **At least 2.5% of the total cost of the project shall be earmarked towards the Enterprise Social Commitment (ESC) based on local needs and action plan with financial and physical breakup/details shall be prepared and submitted to the Ministry's Regional Office at Chandigarh. Implementation of such program shall be ensured accordingly in a time bound manner.**
- 29). Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- 30). Measures should be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc. should be provided with ear plugs / muffs.
- 31). Industrial waste water (workshop and waste water from the mine) should be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May, 1993 and 31st December, 1993 or as amended from time to time. Oil and grease trap should be installed before discharge of workshop effluents.
- 32). Personnel working in dusty areas should wear protective respiratory devices and they should also be provided with adequate training and information on safety and health aspects.
- 33). A separate environmental management cell with suitable qualified personnel should be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
- 34). The funds earmarked for environmental protection measures should be kept in separate account and should not be diverted for other purpose. Year wise expenditure should be reported to the Ministry and its Regional Office.

- 35). The project authorities should inform to the Regional Office regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
 - 36). The project proponent shall submit six monthly reports on the status of the implementation of the stipulated environmental safeguards to the Ministry of Environment, Forest and Climate Change, its Regional Office, Central Pollution Control Board and State Pollution Control Board.
 - 37). The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information / monitoring reports.
 - 38). A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom suggestion / representation has been received while processing the proposal.
 - 39). State Pollution Control Board should display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office/ Tehsildar's Office for 30 days.
 - 40). The project authorities should advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the Ministry of Environment, Forest and Climate Change at www.environmentclearance.nic.in and a copy of the same should be forwarded to the Regional Office.
10. The Ministry or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.
11. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
12. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court and any other Court of Law relating to the subject matter.

13. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

12. The Ministry or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.

~~13. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.~~

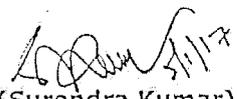
14. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules made there under and also any other orders passed by the Hon'ble Supreme Court of India/ High Court of Meghalaya and any other Court of Law relating to the subject matter.

15. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

(Surendra Kumar)
Director (S)

Copy to:-

- i. **The Secretary**, Ministry of Mines, Government of India Shastri Bhawan, New Delhi.
- ii. **The Secretary**, Department of Environment, Government of Andhra Pradesh, Hyderabad.
- iii. **The Secretary**, Department of Forests, Government of Andhra Pradesh, Hyderabad.
- iv. **The Secretary**, Department of Mines and Geology, Government of Andhra Pradesh, Hyderabad.
- v. **The Secretary**, Department of Industries and Commerce (M-III), Govt of Andhra Pradesh, Hyderabad.
- vi. **The Additional Principal Chief Conservator of Forests (C)**, Ministry of Environment, Forest and Climate Change, Regional Office (SEZ), 1st and 2nd Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai - 600034
- vii. **The Chairman**, Central Pollution Control Board, Parivesh Bhawan, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.
- viii. **The Chairman**, Andhra Pradesh State Pollution Control Board, Paryavaran Bhawan, A-3 Industrial Estate, Sanath Nagar, Hyderabad - 500 018
- ix. **The Member Secretary**, Central Ground Water Authority, A2, W- 3 Curzon Road Barracks, K.G. Marg, New Delhi-110001.
- x. **The Chief Wildlife Warden**, Govt. of Andhra Pradesh, Aranya Bhawan, Saifabad, Hyderabad-500004
- xi. **The Controller General**, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur- 440 001.
- xii. **The District Collector**, Nalgonda District, Government of Andhra Pradesh.
- xiii. Guard File.


(Surendra Kumar)
Director (S)

15

श्री

Telegram : PARYAVARAN
NEW DELHI

सुरभाष

Telephone :

Telex (Bilingual) : W 68185 DXIE IN

FAX :

पारा सचिव

पर्यावरण एवं वन मंत्रालय

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT & FORESTS

पर्यावरण भवन, सी. जी. ओ. कॉम्प्लेक्स

PARYAVARAN BHAVAN, C.G.O. COMPLEX

लोदी रोड, नई दिल्ली - 110003

LODHI ROAD, NEW DELHI 110003

Dated: 23.02.1996

No. B-44/96-FC

To

The Secretary (Forests),
Government of Andhra Pradesh,
HYDERABAD.

Sub:- Diversion of 73.93 ha. of forest land in Nalgonda district in favour of M/s. Deccan Cement Ltd. for additional lime stone mining lease.

Ref:- Date of receipt of application 24.2.96
Date of Stage-I approval 7.1.97
Date of Stage-I compliance 9.2.98

Sir,

I am directed to refer to your letter No.838/For.I/96-1 dated 24.2.96 on the above mentioned subject seeking prior approval of the Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980.

After careful consideration of the proposal of the State Government, the Central Government hereby conveys its approval under Section-2 of the Forest (Conservation) Act, for diversion of 73.93 ha. of forest land in Nalgonda district in favour of M/s. Deccan Cement Ltd. for additional lime stone mining lease, subject to following conditions:-

- (i) Legal status of forest land shall remain unchanged.
- (ii) The compensatory afforestation shall be raised over equivalent non-forest land at the project cost. The non-forest land identified for compensatory afforestation will be notified as protected forest under the Indian Forest Act, 1927.
- (iii) Demarcation of the diverted forest land will be done on the ground at the project cost using 4 feet height concrete pillars having serial No., bearing and distance from pillar to pillar.
- (iv) The mined area will be reclaimed as per the plan to the satisfaction of the Forest Department.

Pl. put up for file

Contd..2/p..

- 46
- (v) No underground mining will be carried out by the user agency in the proposed area.
 - (vi) Construction of permanent buildings and roads will not be allowed.
 - (vii) This approval is subject to environmental clearance under EIA notification, 1994.
 - (viii) Free fuelwood/alternate energy sources will be provided to labourers working at project site.
 - (ix) The lease period will be for 20 years coterminus with lease under M&C Act.
 - (x) The forest land shall not be used for any purpose other than that specified in the proposal.
 - (xi) Any other condition that the State Government may impose from time to time for the protection and improvement of flora and fauna in the forest area.

Yours faithfully,

(V.B. KUMAR)
ASSTT. INSPECTOR GENERAL OF FORESTS

Copy to:-

1. Principal Chief Conservator of Forests, Govt. of Andhra Pradesh, Hyderabad.
2. Nodal Officer, Office of FOCF, Govt. of Andhra Pradesh, Hyderabad.
3. The COS (Central), Regional Office, Bangalore.
4. RO(HQ), New Delhi.
5. Guard File.
6. Dr. B. ...

V.B. Kumar
28/2

(V.B. KUMAR)
ASSTT. INSPECTOR GENERAL OF FORESTS

20.12.19

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Amexyre-IX

1 Page

From
Sri P. Ravinder Reddy, M.S(USA),
Divisional Forest Officer,
Nalgonda.

To,
The Conservator of Forests,
Hyderabad Circle,
Hyderabad.

Re.No. 4716/89/S1, (S5) (Vol. IV) Dt:- 01/04/2002

Sir,

Sub:- M & M ^{M/S DCL} Diversion of 73.93 ha of Forest Land from Saidulnam Rf in Miryalguda Range - CA land at Gurrampodu Village handedover to FD - Report Submitted - Reg.

Ref:- 1) This Office Ref No. 4716/89/S1,S5 Dt:- 20/03/02
2) This Office Ref No. 4716/89/S1,S5 Dt:- 22/03/02
3) M/s Deccan Cements Ltd Lr No. DCL:DFO:PJR:02 Dt:- 22/03/2002
4) This Office Ref No. 4716/89/S1,S5 Dt:- 26/03/02
5) M/s DCL Lr No. DCL:JKR:DFO lands 2002 Dt:- 25/03/02.

* * *

1. In continuation of this Office reference 1st, 2nd and 4th cited, I submit that the user Agency through their letter 5th cited has offered the equivalent CA land elsewhere and requested this office to give the time to procure the suitable land and drop the criminal proceedings. A copy of the M/s. Deccan Cements Ltd letter 5th cited is enclosed herewith for your kind perusal. In their letter, they have also requested to furnish the copy of investigation report for their study and comments. Further, the user Agency has also stated that an extent of 74.20 cents towards CA land handedover to the Forest Department on 16/03/1997 at Nambapur Village of PA Rally Mandal, Nalgonda District which falls under the jurisdiction of Divisional Forest Officer, WLM, Nagarjuna Sagar may raise the afforestation immediately. The user agency is also stated that till the disputed land at Gurrampodu is cleared, they shall restrict their mining activities in their 74.20 cents only.

2. In this regard it is submitted that, based on the report of the Divisional Forest Officer, Flying Squad Party, I have filed a complaint with Sub Inspector of Police Mattampally against the fraudulent action in registering CA land based on fraudulent GPA papers vide this Office reference No. 4716/89/S1,(S5) Dt:- 26/03/2002. As the user agency have offered alternative CA land elsewhere, I request the Conservator of Forest, Hyderabad Circle, Hyderabad to kindly issue necessary instructions in the matter on the representation of user agency Dt: 25/03/2002 for taking further action.

Early action in this regard is highly solicited.

Yours faithfully,

P. Ravinder Reddy
1.4.2002
Divisional Forest Officer,
Nalgonda.

Copy to M/s Deccan Cements Ltd., with reference to his letter 5th cited for information.
Copy to the Forest Range Officer Miryalguda, for information.

S.M.
Divisional Forest Officer
Nalgonda.

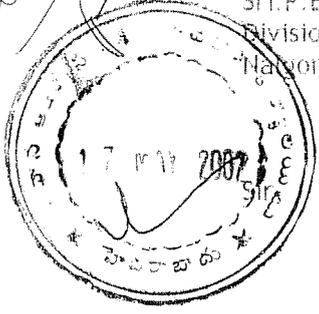
593 1 page -
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Under RTI Act
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GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

From:
Sri.P.Bhushanam,
Divisional Forest Officer,
Naigonda.

To:
The Superintendent of Police,
Maddurda

Ref.No. 4716/89/S1(S5), Dated: 10-05-2002.



Sub:- AP - Forest Department - Complaint against M/s D.C.L. at
Police Station, Maddurda - Refused for accepting the
Complaint by Sub-Inspector of Police, Maddurda -
Regarding.

- Ref:- 1. This Office Ref. No. 4716/89/S1(S5), Dt: 09-04-2002.
- 2. This Office Ref No. 4716/89/S1(S5), Dt: 15-04-2002.

Kind attention is invited to the reference captioned above in which
it was requested while submitting criminal complaint addressed to the
Sub-Inspector of Police, Maddurda to initiate necessary action in the
matter to register the complaint and take necessary action against M/s.
Deccan Cements Limited for their fraudulent action in registering the
Compensatory Afforestation Land in favour of Forest Department with
forged GPAs., but so far this Office has not received any information about
the result of the action taken against the M/s Deccan Cements Limited.

Therefore, it is requested to kindly take immediate and prompt
action in the matter against M/s Deccan Cements Limited for their
fraudulent action in registering Compensatory Afforestation Land in favour
of Forest Department with forged GPAs and communicate the result of
action taken at an early date.

Sd/-
Sd/-
Divisional Forest Officer,
Naigonda

Copy submitted to the Principal Chief Conservator of Forests, Andhra
Pradesh, Hyderabad for favour of information and necessary action.

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

Sd/-
Divisional Forest Officer,
Naigonda.

//t.c.b.c.//

manu
Superintendent

Transfer & Postinc

RS
Deputy Conservator of Forests (WL)
O/o Ptl. Chief Conservator of Forests,
Telangana, Hyderabad.

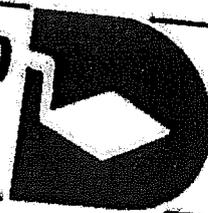
Jaya
28/01/2021

Annexure - X

1 Page

537

DECCAN CEMENTS LIMITED



WORKS BHAVANIPURAM
JANPAHAD P.O. PIN : 508218
NALGONDA DISTRICT (A.P.)
PHONES (08683) 69503, 69504
(08683) 69505, 69507
TELE/FAX (08683) 69502

DCL:JKR:DFO:LANDS:2002

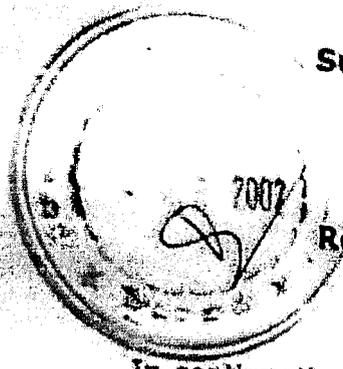
013110

25/03/2002

The Divisional Forest Officer,
Nalgonda.

Dear Sir,

8-6-02



Sub:- M & M Diversion of 73.93 Ha of Forest land from
Saldulnama Reserve Forest Block in Miryalguda
Range - Compensatory Afforestation area at
Gurramboddu Village - Reg.

Ref:- Our Lr. No. DCL:DFO:PJR/02 Dt:- 22/03/2002

In continuation of our letter cited above, we wish to inform you that we have given authorization to purchase the lands at Gurramboddu Village of Mattampally Mandal to Mr.Ch.Kutumba Rao, Miryalguda in good faith.

On verification of all the records pertaining to the above land by us and the Forest Department, we have transferred the lands in your favour and handed over.

However, we are offering the equivalent compensatory land elsewhere. Hence, we request you to give us the time to procure the suitable land and drop the criminal proceedings. We request you to furnish us the investigation report done by your Department for our study and comments. This is to bring it to your kind notice that an extent of acres 74.20 cents at Nambapuram Village of P.A Pally Mandal handed over on 16/03/1997 in which we request you to raise the afforestation immediately. Till the disputed land at Gurramboddu is cleared, we shall restrict our mining activities within acres 74.20 cents only.

Thanking you,

Yours faithfully,
For Deccan Cements Limited

(J. Koteswara Rao)
Dy. Manager (Admn)

Copy to the Pri. Chief Conservator of Forest, A.P, Hyderabad for favorable orders please.

Annexure - XI

3 pages
of the Document
under RTI

- 149 -

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

10711

From,
Sri Sunil Kumar Gupta IFS.,
Conservator of Forests,
Hyderabad Circle, Hyderabad.

To,
The Prl. Chief Conservator of Forests,
Andhra Pradesh,
Hyderabad.

Rc.No.6645/1993/D1, dt.04-03-2006



Sub. Diversion of 73.93 Ha of Forest Land in Nalgonda District – in favour of M/s. DCL for Addl. Lime stone mining lease – Reg.

Ref. Pr.C.C.F Ap Hyd Ref.No.13110/2002/F2, dt.3.2.2006.

It is submitted that the Divisional Forest Officer, Nalgonda has submitted the detailed report on the issues raised by the Govt. in case of mining lease of M/s. Deccan Cements Limited copy enclosed for kind perusal. The following are the remarks offered on the report Divisional Forest Officer, Nalgonda.

- 1) Compensatory Afforestation land:- It is to submit that the user agency is being reminded continuously by issuing notices by the Divisional Forest Officer, Nalgonda to hand over litigation free land to an extent of 44Ha in lieu of 44Ha handed over at Gurrangudu (V) found to be dispute and under cultivation. The area offered by M/s. Deccan Cements Limited., at Gurrambodu village, was inspected on 16.2.1999 and 19.2.1999 and found that there were no boundary pillars and area was not clearly demarcated by fixing permanent cairons / pillars. The Forest Range officer, Miryalaguda was deputed to survey the Compensatory Afforestation area and locate proper boundaries and to take action to evict the encroachments to notify the area as protected forests U/s. 24 and A.P Forests Act,1967. When the Forest Range Officer tried to start the survey the villagers of Vardhapur obstructed by claiming the land belongs to them, as they are cultivating the land since 20 to 25 years. The same was informed to M/s. Deccan Cements Ltd., vide Lr.No.4716/89/S5, dt.5.2.2000 and asked them to give the possession of litigation free land and it was also informed that if the Dept., cannot raise Compensatory Afforestation in the area it will be violation of the conditions of the agreement.

The approval of mining lease is received on 5-5-1998 but the user agency not yet handed over the alternate C.A land free from disputes which is violation of conditions of the agreement. The Divisional Forest Officer, Nalgonda have already put lot efforts on this issue to persuade the user agency but not taken seriousness to hand over the land and wasted over efforts. Necessary action may be suggested for violation of and breach of conditions. The Divisional Forest Officer is also pursuing with Police Authority to lodge a compliant against the company for registration of the land by fraudulent GPA documents. Further the detailed report on the entire issue has

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Jaya
28/6/2006

Deputy Conservator of Forests (WL)
O/o Prl. Chief Conservator of Forests,
Telangana, Hyderabad.

(699)

151

already been submitted to the Prl.Chief Conservator of Forests Vide this office Rc.No.1126/2002/D1, dt.15-3-2002 which is self explanatory, the same was also informed to the Govt. vide Prl.C.C.F Rc.No.32132/99/F2, dt.21-3-2002 copies are enclosed.

- 2) Using of road between present quarry and old quarry it is seen from the correspondence as per the proposals received from the Divisional Forest Officer the then Conservator of Forests, Hyderabad vide Rc.No.6640/79/D1, dt.1-9-1981 has accorded permission for laying of road and electrical line to the firm under intimation to the Prl.Chief Conservator of Forests a copy of the above reference is enclosed herewith subsequently the User Agency have applied fresh proposals in Form-I of FC Act 1980 and offered Compensatory Afforestation land at Nambapuram (V) PA Pally (M). The correspondence of this subject is being dealt in Prl.C.C.F Ref.No.25496/2003/F1, and 26268/2003/F1.
- 3) Reclamation Plan: The Divisional Forest Officer has reported that the user agency has been directed to make available reclamation plan immediately.

This is submitted for favour of information and necessary action.

Yours faithfully,
Sd/-Conservator of Forests,
Hyderabad Circle, Hyderabad.

//t.c.b.o//

Able
Manager.
6/03/06

भारत सरकार
पर्यावरण एवं वन मंत्रालय
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS

क्षेत्रीय कार्यालय (दक्षिण वलय)
Regional Office (Southern Zone)
Kendriya Sadan, 4th Floor, E&F Wings, 17th Main Road,
2nd Block, Koramangala, Bangalore - 560 034.

No. :
तार : पर्यावरण, बेंगलूर
Telegram : PARYAVARAN
BANGALORE

दूरभाष :
Telephone :

No. F.O.A/11.1/127/API / 937
Dated the 26th September, 2007

The Principal Secretary to the Government of Andhra Pradesh,
Environment, Forests, Science & Technology Department,
P. Secretariat,
Hyderabad- 500 022.

Subject: Diversion of 73.93 ha. of forest land in Nalgonda District in favour of M/s Deccan
Cements Ltd. for additional limestone mining lease.

Reference: Govt. of India's letter No.8-44/96-FC dated 23.02.1998

Sir,

I am directed to inform you that this office vide letter of even number dated 15.12.2005 had requested the State Government to furnish a report on the status of CA land and progress of compliance of CA condition as stipulated by Govt. of India for the above project. The State Government was also informed that the road between present quarry and old quarry is passing through the RF and the same is being used by the user agency for transporting of materials and the user agency has also drawn transmission line through forest area. Therefore, the State Government was requested to fix up responsibility of above violation and to furnish a report in this regard to this office. However, no reply has been received from the State Government so far.

The project was again monitored by Deputy Conservator of Forests (Central) on 17.08.2007 and it was observed that ground realities remains the same with respect to dispute of CA land, violation committed by the user agency with reference to use of forest area for road and transmission etc. Reclamation work of already closed mine of 22.55 ha. has also not been done completely. It is, therefore, once again requested that the matter may kindly be enquired into and furnish an action taken report on the above non-compliances. If no satisfactory report is received in this regard shortly, action will be initiated to revoke the permission granted for the project.

Yours faithfully,

(Dr. Avinash M. Kanfode)
Deputy Conservator of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests, Forests Department, Govt. of Andhra Pradesh, Thulajaguda Complex, M.J. Market, Hyderabad.
2. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Andhra Pradesh, Thulajaguda Complex, M.J. Market, Hyderabad.

(Dr. Avinash M. Kanfode)
Deputy Conservator of Forests (Central)

Annexure - XII
3 pages.

**Report of the
Comptroller and Auditor General of India
on
Economic Sector
for the year ended March 2013**

Government of Andhra Pradesh
Report No. 3 of 2014

www.saiindia.gov.in

Environment, Forests, Science and Technology Department

3.2 Diversion of Forest land for non-forest purposes, Compensatory Afforestation (CA) and CAMPA

3.2.1 Introduction

Andhra Pradesh has a total notified forest area of 63.81 lakh Hectare (Ha)²⁰ (comprising 23.2 per cent of total geographical area of the State). Reserved, Protected and Un-classed forests occupy 50.48 lakh Ha (79.10 per cent), 12.37 lakh Ha (19.38 per cent) and 0.97 lakh Ha (1.52 per cent) of the total forest area respectively. The State also has a protected area network of 15.28 lakh Ha (23.9 per cent of total forest area).

Forest (Conservation) Act, 1980 (Act) enacted by Government of India (GoI) and Forest (Conservation) Rules, 2003 (Rules) issued there under prohibit diversion of forest land for non-forest purposes, except with prior approval of GoI. Such approvals are granted in two stages:

In Stage-I, proposal for diversion is agreed to in principle, subject to fulfilment of various conditions, which include (i) providing equivalent non-forest land (or) in case non-forest land is not available, degraded forest land to the extent of twice the forest land diverted, for Compensatory Afforestation (CA); and (ii) payment of Net Present Value (NPV) of forest land diverted, cost of CA and penal cost of CA, if any, by user agency. In Stage-II, formal approval is accorded for diversion of forest land after all conditions stipulated in Stage-I have been fulfilled.

Ad-hoc Compensatory Afforestation Fund Management and Planning Authority (Ad-hoc CAMPA) was created (May 2006) at Central level in which amounts paid by user agencies towards CA and NPV of the forest land being diverted were to be deposited. AP State CAMPA was subsequently constituted during September 2009. Funds received by Ad-Hoc CAMPA were released to State CAMPA subject to maximum of 10 per cent of accumulated principal amount pertaining to respective States/Union Territories, for utilization as per approved Annual Plan of Operations (APOs).

3.2.2 Scope of Audit

Audit conducted between August 2012 and December 2012 covered a period of five years ending 2012-13. Records of Forest Headquarters, Andhra Pradesh Forest Development Corporation (APFDC) and 17 Divisions²¹ substantially funded by CAMPA were examined. Audit was conducted to ascertain whether diversion of forest land, collection of moneys towards CA and NPV, CA of the non-forest land and various other conditions imposed by

²⁰ As per Andhra Pradesh State of Forest Report, 2012

²¹ Adilabad, Ananthapuramu, Chittoor West, Eluru, Hyderabad, Jannaram, Kakinada, Karimnagar West, Kumool, Manchirial, Nalgonda, Narsipatnam, Paloncha, Srikakulam, Vishakhapatnam, Vizianagaram and Warangal North.

Appendix 3.2

(Reference to paragraph 3.2.4.2, page 84)

Delay in notification of forest land accepted for Compensatory Afforestation

Sl. No.	Name of the Project	Date of GoI final approval	Non-forest CA land accepted (Ha) and Forest Division in which accepted	Time elapsed since final approval (as of June 2013)
1	Forest land – rehabilitation of people Thigudem, Chirimalla, Sitarampuram and Karakagudem of Manugur Taluk, diversion of 10 Ha of forest land in Mothi RF of Bayyaram Range.	31.08.1992	10.00, DFO, Paloncha	20 years 10 months
2	Laying of 220 KV line from lower Sileru to Bommuru	07.02.1994	225.160, DFO, Kakinada	19 years 04 months
3	Diversion of forest land of 48 Ha, Chimalpad RF, Mudupally beat of Karepally range of Khammam Division for coal mining at Yellandu – Open Cast Project-II in favour of Singareni Collieries Company Limited (SCCL)	22.07.1995	48.00, DFO, Paloncha	17 years 11 months
4	Mining of lime stone Calcite etc in favour of user agency in Kurnool Dist.	12.09.1995	1.770, DFO, Kurnool	17 years 9 months
5	Diversion of 286.25 Ha of forest land on lease basis mining towards balance requirement of open cast project –II-Phase III in Kondapur- Ext.-1 and Kondiagudem RF	10.10.1997	19.12, DFO, Paloncha	15 years 8 months
6	Diversion of 73.93 Ha of forest land in Compt. No. 27, Saidulunama RF, Nalgonda Dist. in favour of user agency	23.02.1998	43.909, DFO, Nalgonda	15 years 4 months
7	Diversion of 124 Ha of forest land for Guathamikhani- OCP- Phase II- in favour of SCCL.	17.08.1998	124.00, DFO, Paloncha	14 years 10 months
8	Diversion of forest land Centenary Incline- Yellandu in favour of SCCL.	10.09.1998	4.77, DFO, Paloncha	14 years 9 months
9	Diversion of 2 Ha of forest land for sand stowing plant for PK.No.1 Incline Manuguru Forest.	27.05.1999	2.00, DFO, Paloncha	14 years 1 month
10	Construction of approach road to Guathamikhani – OCP – from workers colony	27.08.1999	1.80, DFO, Paloncha	13 years 10 months
11	Construction of Dharacalva reservoir project.	27.10.2000	10.810, DFO, Kakinada	12 years 8 months
12	Diversion of forest land – OCP-I in Koyagudem	14.05.2001	18.57, DFO, Paloncha	12 years 1 month

Government of Andhra Pradesh
Forest Department.

From
Sri. Ravinder Reddy, M.S. (USA),
Divisional Forest Officer,
Nalgonda.

To
The Vice President (Works)
M/s Deccan Cements Limited,
Bhavanapuram, Janpahad,
Miryalguda.

Rc.No.4317/S5/99 Dt. 25-4-2000

Sir,

Sub:- Time Limit for sending compliance approval and start of work after issue of final report - compliance report called for -Reg.

Ref:- 1.This office Rc.No.4716/89/S5 Dt. 11-2-2000

...

With reference to the subject and reference cited, the user agency is requested to submit the compliance report, whether the diverted land 73.93 Ha. of Forest Land at Saidulnama Reserve Forest Block in Miryalguda Range is under use by the user agency or not. As per GOI MOE&F New Delhi Lr.No.4-2/99-FC (PT) Dt. 31-8-1999 compliance report of conditions of in principle approval is not submitted within two years time period from date of receipt of the order. Thus the order (ie., in principle) will automatically stand ~~revoked~~ ^{revoked}. Further in case of non-use of Forest land (For the purpose for which it was diverted) with in period of two years from the date of issue of final order. The order stands automatically revoked.

In view of the above the user agency is requested to submit the compliance report as per conditions of in-principal approval whether the diverted land of 73.93 ha. of Forest land is under use or not.

Yours faithfully,
Sd/-
Divisional Forest Officer,
Nalgonda.

Copy to the Forest Range Officer, Miryalguda is instructed to inspect the mining lease area and submit the compliance report whether the diverted land 73.93 ha. Forest land is under use by the user agency or not.

/t.c.b.o./

Mary
26/4/2000
Supintendent.

...

-269- Appendix - XIV
2 pages
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under RTI

**GOVERNMENT OF TELANGANA
FOREST DEPARTMENT**

From:
Sri P.K.JHA, I.F.S.,
Prl. Chief Conservator of Forests,
(Head of Forest Force) (FAC)
Aranya Bhavan, Saifabad,
Telangana, Hyderabad.

To:
The Spl. Chief Secretary to Government,
Environment, Forest, Science,
and Technology Department,
Telangana, Hyderabad.

Rc.No.13110/2002/FCA-5 dt. 05/06/2017.

Sir,

Sub : TSFD - F (C) Act, 1980 - diversion of 73.93 Ha of FL in Compt.No.27 of Saidulanama RF of erstwhile Nalgonda District for lime stone mining lease in f/o M/s Deccan Cements Ltd., for a period of 20 years co-terminus with lease under MMRD Act - extension of further period - Requested - for clarification and further orders - Reg.

Ref: 1. MoEF&CC, GoI, New Delhi Lr.No.8-44/96-FC, dt.23.02.1998.
2. G.O.Ms.No.51, EFS&T (For.I) Dept., dt.05.05.1998.
3. MoEF&CC (FC-Division), GoI New Delhi F.no.11-51/15-FC, dt. 1.4.2015
4. MoEF&CC (FC-Division), GoI New Delhi F.no.11-51/15-FC, dt.01.05.2015
5. M/s Deccan Cements, Ref.no.01/2014/ML-FL, dt.16.03.2017 received on 21.03.2017 (**235/CF**).
6. M/s Deccan Cements, Ref.no.02/2017/ML-FL, dt.05.05.2017 received on 08.05.2017 (**251/CF**)

Deputy Conservator of Forests (WL)
1/o Prl. Chief Conservator of Forests,
Telangana, Hyderabad.

It is informed that the MoEF & CC, GoI, New Delhi & State Government vide reference 1st & 2nd cited respectively have accorded permission for diversion of 73.93 Ha of FL in Compt.No.27 of Saidulanama RF of erstwhile Nalgonda District for lime stone mining lease in f/o M/s Deccan Cements Ltd., for a period of 20 years co-terminus with lease under MMRD Act, with certain conditions stipulated therein.

In this regard, it is informed that the MoEF & CC, GoI, New Delhi vide reference 3rd cited (copy enclosed) has informed that as per the Mines and Minerals (Development and Regulation) Amendment Ordinance, 2015, there would be no renewal of any Mining Lease in future and all the Mining lease granted in future would have a tenure of 50 years. Similarly, leases granted prior to the promulgation of the ordinance would also have tenure of not less than 50 years.

Duly referring the above ordinance, the MoEF&CC, GoI has informed that *in case of existing mining leases in respect of minerals specified in Sub-section (1) of Section 8A of the MMDR Act, 1957 as inserted by the Mines and Minerals (Development and Regulation) Amendment Ordinance, 2015, period of validity of approvals accorded U/s-2 of FC Act shall be extended, and shall be deemed to have been extended upto a period co-terminus with the period of Mining Lease in accordance with the provisions of the MMDR Act, 1957, as amended, subject to the three conditions mentioned therein.*

Further, the MoEF&CC, GoI, New Delhi vide reference 4th cited (in continuation to the above letter) has informed that all the renewal proposals

Jaya
28/6/2017



True Copy of the Document /
Record supplied under RTI Act

submitted prior to the promulgation of the (Mines and Minerals Development and Regulation) Amendment Ordinance, 2015, shall be closed, if forest clearance is obtained for the entire forest land indicated in such proposals has already been obtained during the original lease period or previous renewal(s) of the ML. Further, it has been informed that in case prior approval under F(C) Act, 1980 is obtained only for a part of forest land indicated in such proposal has been obtained during the validity of the original lease or previous renewal(s), such proposals shall be processed for such reduced area of forest land for which approval under the F(C) Act during the original lease period has not been obtained.

As the case is such, the User Agency in the ref 5th and 6th cited, while referring to MoEF&CC, GoI guidelines dated.01.04.2015 has requested to take necessary action as contemplated in the above said GoI circular. Further, the UA has stated that in accordance with State Govt. (Industries and Commerce Dept) GO Ms No.52, dt.20.09.2016, the Asst. Director of Mines & Geology, Suryapet vide his Ir.dt.16.11.2016 has entered into a Mining Lease Agreement with Deccan Cements upto 08.02.2050 (50 years). A copy of reference 5th & 6th cited is enclosed herewith.

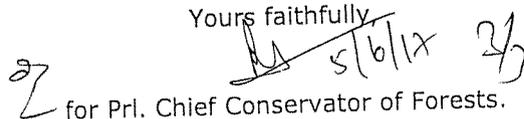
In view of the above, the representation of the firm and alongwith extension of mining lease granted by the Mines Department upto a period of 08.02.2050 is enclosed herewith with a request to forward the same to MoEF&CC, GoI, New Delhi for issuing clarification on the following:

1. Issue concurrence for collection of NPV as stipulated in the MoEF&CC, GoI guidelines mentioned above or otherwise, as the ~~as the~~ validity for collection of NPV is only for two years from the date of issue of guidelines i.e 01.04.2017.
2. Request to clarify the procedure to be followed for deposition of NPV amount, if GoI agrees to, in Ad-hoc CAMPA account, as the deposition of funds into State Specific Ad-hoc CAMPA account towards Compensatory Levies are being accepted by MoEF&CC, GoI only when they are made through e-payment mode. In this present case, the Stage-II clearance is issued in the year 1998 itself and there is no provision in the Ministries portal for making payment in such cases.

This is submitted for information and necessary action.

Encl.:- As above.

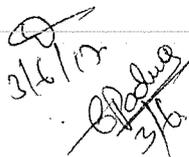
Yours faithfully,


for P. Chief Conservator of Forests.

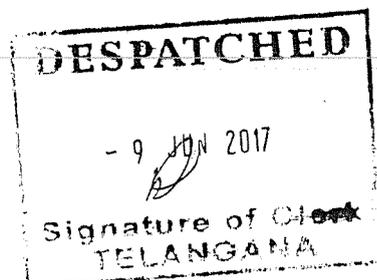
Copy to the Director, Department of Mines & Geology, 8th Floor, BRKR Bhavan, Hyderabad for information.

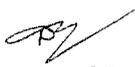
Copy to M/s. Deccan Cements Ltd., for information and necessary action.

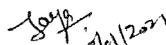
Copy to Conservator of Forests, Khammam and District Forest Officer, Suryapet for information and necessary action.








Deputy Conservator of Forests (WL)
O/o P. Chief Conservator of Forests,
Telangana, Hyderabad.



J-11015/642/2007- IA. II (M)
Government of India
Ministry of Environment & Forests

Telefax: 011-24367257
Paryavaran Bhavan, C.G.O. Complex,
Lodi Road, New Delhi-110003.
Dated: October 18, 2007

To

M/s Deccan Cements Ltd.
6-3-666/B 'Deccan Chambers'
Somajiguda,
Hyderabad-500082

Sub: *Bhavanipuram Limestone Mine-3 (ML area 183.11ha) at village Ravipahad, Neredcherla Mandal, Huzur Nagar Taluk, Nalgonda Distt., in Andhra Pradesh - req. Environmental Clearance.*

Sir,

The undersigned is directed to refer to your letter dated 23.06.2007, on the above mentioned subject. The Ministry of Environment and Forests has examined the application.

2. It has been noted that the proposal is production of limestone at capacity 0.3 MTPA of your Bhavanipuram Limestone Mine-3 located at village Ravipahad, Neredcherla Mandal, Huzur Nagar Taluk, Nalgonda Distt., in Andhra Pradesh. The method of mining will be mechanised open cast. The mining lease area is 183.11 ha, which lies in the Saidulnama Reserved Forest. The mineable reserve is 60.64 MT. Life of the mine at proposed production will be 202 years. The ore is outcropped. Ultimate depth of mining will be about 31 m below ground level. Water table depth is 60 m below ground level. Hence no interference of ground water due to mining activity. The limestone ore will be transported to the crusher plant located at its cement plant 0.5 -1.0 km away from the working pits. Low grade limestone generated from the mine will be blended with cement grade limestone. At the end of mine life, the mined out area will be converted into water reservoir where pisci-culture will be taken up. Krishna River flows at a distance of about 0.5 in the east and Musi river at 3.6 km in the West. No Wildlife sanctuary/National park and heritage sites are located within 10 km of mine lease area. Water requirement will be about 120 m³/day, which will be met from the river Krishna. Domestic wastewater generated will be about 1.6 m³/day, which will be treated in septic tank followed by soak pit. No solid waste which need disposal will be generated. Public hearing of the project was held on 28.04.2006. Approval for Mining scheme including progressive mine closure plan from IBM in under process. Cost of the project will be Rs. 15.0 crores.

3. The project has been considered in accordance with the provisions of the EIA notification issued by the Ministry of Environment & Forests vide S.O. 1533 (E), dated September 14, 2006 and its interim operational guidelines issued on October 13, 2006.

4. Based on the information submitted by you, the Ministry of Environment and Forests hereby accords environmental clearance to the above project under the provisions of EIA Notification dated September 14, 2006, subject to the compliance of the following Specific and General conditions:

A. Specific conditions

- (i) Environmental clearance is subject to obtaining forestry clearance for diversion of forest land under the Forests (Conservation) Act, 1980.
- (ii) Environmental clearance is subject to obtaining approval from Indian Bureau of Mines for mining plan/scheme and progressive mine closure plan.

Cont'd.....

- (iii) Mining activity at Mine-3 (ML area 183.11 ha) at village Ravipahad, shall begin only after the Bhavanipuram Limestone Mine-2 (ML area 73.93 ha), located at village Mahankaligudem, adjacent to this mine, has exhausted its mineable ore.
- (iv) Conceptual Mining Plan for every 5 years for the life of the mine shall be prepared and submitted to the Ministry within six months.
- (v) Measures for control of soil erosion and management of silt shall be prepared and submitted to the Ministry within 6 months.
- (vi) Action plan for abatement and compensation for damages to agricultural land / common property land (if any) due to mining activity shall be submitted to the Ministry within six months.
- (vii) Water quality both for surface as well as ground water in the core zone shall be regularly monitored and records maintained. In case contamination is observed, measures for control and action taken shall be reported to the state government as well as the Ministry.
- (viii) Water bodies shall be developed and utilized to develop pisciculture by organizing fishermen cooperative society with the land losers (if any) and specially the poorer section as members of such Society with initial financial assistance in the form of share money and managerial assistance so that the members themselves can run the affairs of the society in due course. The project proponent shall arrange marketing tie up so that the Society gets fair price of their product and the profits are equitably shared by the members of the society as regular source of income.
- (ix) Action taken report on issues raised during public hearing shall be submitted to the Ministry and the State Govt. within six months.
- (x) Occupational health and safety measures for the workers including training on malaria eradication, HIV, health effects on exposure to mineral dust etc. shall be carried out. The company shall engage a full time qualified doctor who is trained in occupational health surveillance. Records of the health of the workers shall be maintained.
- (xi) Top soil/ solid waste (if any) shall be stacked properly with proper slope with adequate safeguards and shall be backfilled for reclamation and rehabilitation of mined out area.
- (xii) Over burden (if any) shall be stacked at earmarked dump site(s) only and shall not be kept active for long period. The maximum height of the dump shall not exceed 30 m, each stage shall preferably be of 10 m and overall slope of the dump shall not exceed 28°. The OB dump shall be backfilled. The OB dumps shall be scientifically vegetated with suitable native species to prevent erosion and surface run off. Monitoring and management of rehabilitated areas shall continue until the vegetation becomes self-sustaining. Compliance status shall be submitted to the Ministry of Environment & Forests on six monthly basis.
- (xiii) Garland drains shall be constructed to arrest silt and sediment flows from soil, and mineral dumps. The water so collected shall be utilized for watering the mine area, roads, green belt development etc. The drains shall be regularly de-silted particularly after monsoon and maintained properly.

Cont'd.....

Garland drain of appropriate size, gradient and length shall be constructed for both mine pit and for waste dump and sump capacity shall be designed keeping 50% safety margin over and above peak sudden rainfall (based on 50 years data) and maximum discharge in the area adjoining the mine site. Sump capacity shall also provide adequate retention period to allow proper settling of silt material. Sedimentation pits shall be constructed at the corners of the garland drains and de-silted at regular intervals.

(xiv) Slope of the mining bench and ultimate pit limit shall be as per the mining scheme approved by Indian Bureau of Mines.

(xv) Drilling and blasting (if any) shall be conducted by using dust extractors/wet drilling.

FIELD VISIT REPORT by/Commandant

(xvi) Green belt development shall be carried out considering CPCB guidelines including selection of plant species and in consultation with the local DFO / Agriculture Department. Herbs and shrubs shall also form a part of afforestation programme besides tree plantation. Plantation shall be raised in 27.32 ha around the ML area, hayl roads, OB dump sites etc. The density of the trees shall be not less than 2500 plants per ha. The company shall involve local people with the help of self help group for plantation programme.

(xvii) The project authority shall implement suitable conservation measures to augment ground water resources in the area in consultation with the Regional Director, Central Ground Water Board.

(xviii) Regular monitoring of ground water level and quality shall be carried out by establishing a network of existing wells and constructing new piezo meters during the mining operation. The monitoring shall be carried out four times in a year – pre-monsoon (April-May), monsoon (August), post-monsoon (November) and winter (January) and the data thus collected shall be regularly sent to MoEF, Central Ground Water Authority and Regional Director, Central Ground Water Board.

(xix) Prior permission from the competent authority shall be obtained for extraction of ground water, if any.

(xx) Vehicles used for transportation of ores and other mining operations shall have valid permissions as prescribed under Central Motor Vehicle Rules, 1989 and its amendments. Measures shall be taken for maintenance of vehicles used in mining operations and in transportation of ores. Transporting of ores shall be done covered with a tarpaulin or other suitable enclosures so that no dust particles / fine matters escape during the course of transportation. No overloading of ores for transportation shall be undertaken.

(xxi) A final mine closure plan, along with details of Corpus Fund, shall be submitted to the Ministry of Environment & Forests, 5 years in advance of final mine closure for approval.

B. General conditions

(i) No change in mining technology and scope of working shall be made without prior approval of the Ministry of Environment & Forests.

(ii) No change in the calendar plan including excavation, quantum of mineral, limestone and waste shall be made.

(iii) Conservation measures for protection of flora and fauna in the core & buffer zone shall be drawn up in consultation with the local forest and wildlife department.

Cont'd...

- (iv) Four ambient air quality-monitoring stations shall be established in the core zone as well as in the buffer zone for RPM, SPM, SO₂, NO_x monitoring. Location of the stations should be decided based on the meteorological data, topographical features and environmentally and ecologically sensitive targets and frequency of monitoring should be undertaken in consultation with the State Pollution Control Board.
- (v) Data on ambient air quality (RSPM, SPM, SO₂, NO_x) should be regularly submitted to the Ministry including its Regional office located at Bangalore and the State Pollution Control Board / Central Pollution Control Board once in six months.
- (vi) Fugitive dust emissions from all the sources shall be controlled regularly. Water spraying arrangement on haul roads, loading and unloading and at transfer points shall be provided and properly maintained.
- (vii) Measures shall be taken for control of noise levels below 85 dBA in the work environment. Workers engaged in operations of HEMM, etc. shall be provided with ear plugs / muffs.
- (viii) Industrial waste water (workshop and waste water from the mine) should be properly collected, treated so as to conform to the standards prescribed under GSR 422 (E) dated 19th May, 1993 and 31st December, 1993 or as amended from time to time. Oil and grease trap shall be installed before discharge of workshop effluents.
- (ix) Personnel working in dusty areas shall be provided with protective respiratory devices and they shall also be imparted adequate training and information on safety and health aspects.
- (x) A separate Environmental Management Cell with suitable qualified personnel shall be set-up under the control of a Senior Executive, who will report directly to the Head of the Organization.
- (xi) The project authorities shall inform to the Regional Office of the Ministry located at Bangalore regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- (xii) The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year wise expenditure shall be reported to the Ministry and its Regional Office located at Bangalore.
- (xiii) The project authorities shall inform the Regional Office of the Ministry located at Bangalore regarding date of financial closures and final approval of the project by the concerned authorities and the date of start of land development work.
- (xiv) The Regional Office of the Ministry, Bangalore shall monitor compliance of the stipulated conditions. The project authorities shall extend full cooperation to the officer(s) of the Regional Office by furnishing the requisite data / information / monitoring reports.
- (xv) A copy of clearance letter will be marked to concerned Panchayat / local NGO, if any, from whom suggestion / representation has been received while processing the proposal.
- (xvi) State Pollution Control Board shall display a copy of the clearance letter at the Regional office, District Industry Centre and Collector's office / Tehsildar's Office for 30 days.

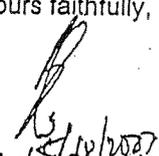
(xvii) The project authorities shall advertise at least in two local newspapers widely circulated, one of which shall be in the vernacular language of the locality concerned, within 7 days of the issue of the clearance letter informing that the project has been accorded environmental clearance and a copy of the clearance letter is available with the State Pollution Control Board and also at web site of the Ministry of Environment and Forests at <http://envfor.nic.in> and a copy of the same shall be forwarded to the Regional Office of the Ministry located Bangalore.

5. The Ministry or any other competent authority may alter/modify the above conditions or stipulate any further condition in the interest of environment protection.

6. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.

7. The above conditions will be enforced inter-alia, under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules.

Yours faithfully,


(W. Bharat Singh)
Deputy Director

Copy to:

1. Secretary, Ministry of Mines, Government of India, Shastri Bhawan, New Delhi.
2. Secretary, Department of Environment, Government of Andhra Pradesh, Hyderabad.
3. Secretary, Department of Mines and Geology, Government of Andhra Pradesh, Hyderabad.
4. Secretary, Department of Forests, Government of Andhra Pradesh, Hyderabad.
5. Chief Conservator of Forests, Regional Office (SZ), Kendriya Sadan, 4th Floor E&F, Wings 17th Main Road, 1 Block, Koranmangala, Bangalore-560-034.
6. Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-Cum-Office Complex, East Arjun Nagar, New Delhi-110 032.
7. Chairman, Andhra Pradesh State Pollution Control Board, Paryavaran Bhawan, A-3 Industrial Estate, Sanath Nagar, Hyderabad - 500 018
8. Member Secretary, Central Ground Water Authority, A2, W- 3 Curzon Road Barracks, K.G. Marg, New Delhi-110001.
9. Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur- 440 001.
10. District Collector, Nalgonda, Government of Andhra Pradesh.
11. EI Division, Ministry of Environment & Forests, Paryavaran Bhawan, New Delhi.
12. Monitoring File.
13. Guard File.
14. Record File.


(W. Bharat Singh)
Deputy Director

F. No. 8-85/2011-FC
 Government of India
 Ministry of Environment and Forests
 (F.C. Division)

Paryavaran Bhawan,
 CGO Complex, Lodhi Road,
 New Delhi -110003.
 Dated: ~~24~~ February, 2012

To,

The Special Secretary to Government,
 Environment, Forests, Science & Technology Deptt.,
 A.P. Secretariat,
 Hyderabad.

Sub: Diversion of 183.11 ha. forest land in favour of M/s. Deccan Cement Ltd., Hyderabad for their limestone mining project located in compartments No. 26 & 27 of Saidulnama Reserved Forest of Nalgonda Forest Division in Nalgonda district of Andhra Pradesh.

Sir,

I am directed to refer to Government of Andhra Pradesh's Letter No. 7729/FOR.I (1)/2010 dated 20.10.2010 on the above mentioned subject, wherein prior approval of the Central Government for the diversion of 183.11 ha. forest land in favour of M/s. Deccan Cement Ltd., Hyderabad for their limestone mining project located in compartments No. 26 & 27 of Saidulnama Reserved Forest of Nalgonda Forest Division in Nalgonda district of Andhra Pradesh was sought, in accordance with Section 2 of the Forest (Conservation) Act, 1980. The said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section 3 of the aforesaid Act.

2. After careful consideration of the proposal of the State Government of Andhra Pradesh and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby agrees **in-principle** for the diversion of 183.11 ha. forest land in favour of M/s. Deccan Cement Ltd., Hyderabad for their limestone mining project located in compartments No. 26 & 27 of Saidulnama Reserved Forest of Nalgonda Forest Division in Nalgonda district of Andhra Pradesh, subject to the fulfilment of the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the non-forest land equal in extent to the forest land being diverted shall be raised and maintained by the State Forest Department at the cost of the User Agency;
- (iii) The 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;

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- (iv) The 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;
- (v) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department;
- (vi) Following activities shall be undertaken by the User Agency at the project cost:
 - (a) A plan containing appropriate mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented;
 - (b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;
 - (c) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour;
 - (d) Stabilize the overburden dumps by appropriate grading/benching so as to ensure that that angles of repose at any given place is less than 28°; and
 - (e) Strict adherence to the prescribed top soil management.

(vii)

The State Government shall charge the Net Present Value (NPV) of the forest area diverted under this proposal from the User Agency as per the Orders of the Hon'ble Supreme Court dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 2007/1995 and the guidelines issued by this Ministry vide its letter No. 5-2607-FC dated 15.02.2009 in this regard.

- (viii) At the time of payment of the Net Present Value (NPV) at the present rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- (ix) All the funds received from the User Agency under the project shall be transferred to Ad-hoc CAMPA in the Saving Bank Account Number No. 344902010105407 of Union Bank of India, Sunder Nagar, New Delhi-110003;
- (x) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- (xi) The User Agency either himself or through the State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip all along the outer boundary of the area identified to undertake mining), at the project cost;
- (xii) The User Agency either himself or through the State Forest Department shall undertake afforestation on degraded forest land, one and half time in extent to the area used for safety zone;
- (xiii) The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, or Rules framed there under, subject to a maximum period of 30 years;

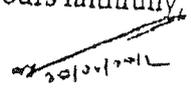
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- (xiv) User agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4), if any, located in the area within 100 m. from outer perimeter of the mining lease;
- (xv) ~~The user agency shall undertake desilting of the village tanks and other water bodies located within five km from the mine lease boundary so as to mitigate the impact of siltation on such tanks/water bodies, whenever required.~~
- (xvi) The user agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Andhra Pradesh and the Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (Southern Zone), Bangalore. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;
- (xvii) No labour camp shall be established on the forest land;
- (xviii) The User Agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
- (xix) The boundary of the mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
- (xx) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xxi) The State Government shall ensure reclamation of the forest land located in their existing mine. Mining in the forest land proposed for diversion shall be allowed only after the work for reclamation of the mined out area in their existing mine is initiated and the State Forest Department shall monitor the progress of reclamation works;
- (xxii) Mining may be restricted in the first phase to the area south of road connecting Janapahad-Ravipahad villages. In addition to the normal safety zone, a safety zone of 50 meter width fenced with chain link fence, from the road on the mine side may also be maintained;
- (xxiii) Efforts may be made by the user agency to obtain consent of the residents of the Ravipahad village and construct an alternate road to the north of the proposed mining lease after obtaining necessary approvals. Permission for mining in the 50 m

safety zone, the existing road and any area to the north of the existing road, can be considered, after the alternate road is formed;

- (xxiv) The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in it's letter No. 11-9/1998-FC (pt.) dated 03.08.2009, in support thereof;
- (xxv) Any other condition that the Southern Regional Office of this Ministry, Bangalore and State Government of Andhra Pradesh may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
- (xxvi) The 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.

3. After receipt of a report on compliance to the conditions stipulated in Paragraph -2 above, from the State Government of Andhra Pradesh, formal/ final approval of the Central Government, in accordance with section 2 of the Forest (Conservation) Act, 1980, will be issued by this Ministry. Till receipt of the said formal/ final approval of the Central Government for diversion of the said forest land from this Ministry, transfer of forest land to the User Agency shall not be affected by the State Government.

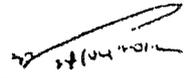
Yours faithfully,


(H.C. Chaudhary)

Assistant Inspector General of Forests

Copy to:

- 1. Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad.
- 2. Nodal Officer, Office of the PCCF, Andhra Pradesh, Hyderabad.
- 3. Chief Conservator of Forests (Central), Regional Office, Bangalore.
- 4. User Agency.
- 5. Monitoring Cell, FC Division, MoEF, New Delhi.
- 6. Guard File



(H.C. Chaudhary)

Assistant Inspector General of Forests

MC
Received
23/12/12

ANNEXURE - III

GOVERNMENT OF TELANGANA
OFFICE OF THE ASST. DIRECTOR OF MINES & GEOLOGY, SURYAPET

From: S. Surender, M.Sc.,
Asst. Director of Mines &
Geology, Suryapet (FAC).

76.
The Director of Mines & Geology
Hyderabad

Letter No. 1879/M2/1992, Dt. 25.02.2020

Sir,

Sub: Vigilance-Complaint made by Sri Karnati Venkat Reddy, Suryapet District against M/s Deccan Cement Limited holding Mining Leases for Limestone in Ravipahad village, Palakeedu Mandal, Suryapet District for excavation of excess quantity of Limestone and paying less Royalty to Government-ETS survey by M/s TRAC -Detailed clarification on measurement of quantity submitted-Regarding.

- Ref: 01. Mail Dated.10.10.2019 from the Director of Mines & Geology, Hyderabad.
02. This office Lr No. 1879/M2/1992 Dt.10.10.2019 addressed to the Telangana State Remote Sensing Application Centre.
03. ETS survey Report submitted by the M/s Telangana State Remote Sensing Application Centre on 02.01.2020.
04. This office letter No.1879/M2/1992, Dt.04.01.2020 addressed to the Director of Mines & Geology, Hyderabad.
05. Memo No.373487/Vg/2019, Dt.10.02.2020 from the Director of Mines & Geology, Hyderabad.
06. Revised ETS Survey Report submitted by the M/s Telangana State Remote Sensing Application Centre.
- *****

I invite kind attention to the subject and reference 1st cited wherein the Director of Mines & Geology while enclosing a copy of the complaint made by Sri Karnati Venkat Reddy, Suryapet District against M/s Deccan Cement Limited received from Indian Bureau of Mines (IBM), Govt. of India directed this office to submit report so as to forward the same to Govt. & IBM.

The contention in the complaint is that M/s Deccan Cement Ltd excavated excess quantity of Limestone and less royalty paid to the Government and conducting mining operations against Wildlife Protection Act, 1972.

In this regard, it is submitted that vide reference 4th cited a detailed report was submitted to the Directorate alongwith ETS survey sketch and report carried-out by Telangana State Remote Sensing Centre (TRAC-State Govt. Autonomous Scientific Organization) duly reporting quantity of Limestone extracted from (2) mining leases for Limestone held by M/s Deccan Cement Ltd as on 31.10.2019.

As the matter stood thus, the Directorate vide reference 5th cited informed that based on the report of ADM&G, Suryapet, a detailed letter was addressed to IBM vide Lr.No.373479/Vg/2019, Dt:27.02.2020. Thereupon, the IBM requested to clarify with reference to quantity of mineral mentioned in volume in metric tonnes wherein volume cannot be measured in metric tonnes.

In this regard, it is submitted that M/s TRAC in earlier ETS report erroneously mentioned quantity of Limestone extracted from both mining leases held by M/s Deccan Cement Ltd as 'Volume in MT' instead of MT.

Condt..2

////

Accordingly, a revised ETS survey report was obtained from M/s TRAC on 25.02.2020 wherein quantity of Limestone extracted from mining leases (mining lease-wise) held by M/s Deccan Cement Ltd is mentioned exclusively in metric tonnes duly taking conversion from volume to metric tonnes based on specific gravity of Limestone 2.25 as per approved mining plan of M/s Deccan Cement Ltd and duly excluding overburden.

It is submitted that as per revised ETS survey report of M/s TRAC, the quantity of Limestone extracted in both mining leases held by M/s Deccan Cement Limited (as on 31.10.2019) is as given under:

S. No	Mining Lease	Location	Quantity (In MT)
1	ML-I	Compt.No.27 of Saidulnama R.F Mahankalligudem Village, Palakeedu, (M)	1,95,06,399.213
2	ML-II	Compt.No.26&27 of Saidulnama R.F Mahankalligudem Village Palakeedu (M)	28,41,429.634
TOTAL			2,24,27,828.847

As per ETS survey sketch, M/s Deccan Cement Limited is working within mining leased area in both mining leases.

Further, mining lease-wise despatch permits obtained by M/s Deccan Cement Ltd as on 31.10.2019 have been verified and detailed as given under:

S. No	Mining Lease	Location	Quantity (In MT)
1	ML-I	Compt.No.27 of Saidulnama R.F Mahankalligudem Village, Palakeedu Mandal	1,96,09,300.000
2	ML-II	Compt.No.26&27 of Saidulnama R.F Mahankalligudem Village, Palakeedu Mandal	28,61,800.000
TOTAL			2,24,71,000.000

Taking into consideration the quantity arrived as per ETS survey of pits developed in (2) mining leases for Limestone and despatch permits obtained by M/s Deccan Cements Ltd, a comparative statement is submitted as under:

S. No	Mining Lease	Quantity as on 31.10.2019 arrived as per ETS survey report (In MT)	Quantity covered under despatch permits as on 31.10.2019 (In MT)	Differential Quantity as on 31.10.2019 (In MT)
1	ML-I (Compt.No.27)	1,95,06,399.213	1,96,09,300	(+) 22,800.787
2	ML-II (Compt. No.26 & 27)	28,41,429.634	28,61,800	(+) 20,370.366
TOTAL		2,24,27,828.847	2,24,71,000.000	(+) 4,31,171.153

In view of the above circumstances and as mentioned in the above table, the total extracted quantity 2,24,27,828.847 MT of Limestone arrived based on ETS survey report by M/s TRAC pertaining to (2) mining leases for Limestone held by M/s Deccan Cement Limited suffered royalty. Thus, there is no evasion of royalty to the Government.

This is submitted for kind perusal and further necessary action in the matter.

Yours faithfully,

[Signature]
Asst. Director of Mines & Geology,
Suryapet (TAC)

Encl - As above.

Copy submitted to the Dy. Director of Mines & Geology, Hyderabad for favour of information.

Telangana State Remote Sensing Applications Centre

Planning Department, Govt. of Telangana

REVISED ETS Survey Report

As per the instructions of the ADMG, Suryapet District and in accordance with the Lr. no 1879/M2/1999 dated 10.10.2019 of ADMG Suryapet, We (TRAC) carried out ETS Survey of the mining leases held by M/s. Deccan Cements Limited along with officials of the ADM&G and DCL Mining lease holder during 15.10.2019 to 31.10.2019.

S. No	Name of the Lease & Their Location	Survey No	Extent of Leases	Lease Period	Remarks
1	M/s Deccan Cements Limited-II, Mahankalipudem (V), Palakonda (M), Suryapet(D)	Sadhinama RI, comp. no: 27	73.93	09-03-2018 to 08-03-2050	Lease is in force
2	M/s Deccan Cements Limited-III, Ravipatnam (V), Palakonda (M), Suryapet(D)	Sadhinama RI, comp. no: 26 & 27	183.11	28-12-2013 to 27-12-2013	Lease is in force

R. S.
M. P. ...
25/01/2020

During the ETS Survey, we have assessed the quantities of mineral extracted in their 2 mining leases held by M/s. Deccan Cements Limited. The details are given as below.

S.No	Name of the Lease holder	Survey No & Location	No. of Pit	Excavated Quantity in Metric Tons
1	M/s Deccan Cements Limited-II, Mahankalipudem (V), Palakonda (M), Suryapet(D)	Sadhinama RI, comp. no 27	1	1,95,86,399.213
2	M/s Deccan Cements Limited-III, Ravipatnam (V), Palakonda (M), Suryapet(D)	Sadhinama RI, comp. no 26&27	1	28,41,429.634

Further we have submitted ETS Survey report to the Asst. Director of Mines & Geology, Suryapet on 02.01.2020 for further necessary action. As per the earlier report the total excavated quantities of Limestone assessed after excluding overburden is arrived as 1,95,86,399.213 MT and 28,41,429.634 MT respectively. But the ADM&G, Suryapet has informed that in the ETS survey report the excavated quantity of Limestone in the said mining leases has been assessed but the same mentioned as Volume in Metric Tonnes, in this connection, on verification of the same survey report it is mentioned the excavated mineral quantity as Volume in Metric tonnes oversightly instead of mentioning the assessed quantity as Metric Tonnes. As such the same was rectified and now shown the volume of the pit in Cu.M and assessed the excavated quantity in MT while taking into account the Specific Gravity of the mineral as per the approved mine plan as 2.25. Further in the earlier survey report the values of areas Sq. Mts. wrongly printed as such the same also rectified. However it is pertinent to inform that the quantities of estimated Limestone assessed as per the earlier survey report and as per this revised report is one and the same.

Further it is submitted that, M/s. Deccan Cements Limited is excavated and operated with in the leased area only.

In view of the above, I request the Asst. Director of Mines & Geology, Suryapet to consider this revised ETS report.

Encl: Revised ETS Report

G. Gnathyan
Nodal Officer
Telangana State Remote Sensing Application Centre

Copy submitted to the Director of Mines & Geology, Hyderabad for favour of information

1069
178/92x48e - XVII
1 page
01568/

GOVERNMENT OF TELANGANA
FOREST DEPARTMENT

Copy of the Document /
Released under RTI Act

Rc.No.3242/2017/S1,
Dt.25.08.2018

O/o District Forest Officer,
Suryapet.

Sri. G. Mukund Reddy, Dy.C.F.,
District Forest Officer.

TSFD - Diversion of 73.93 Ha of Forest Land in Compt.No.27 of Saidunama RF of Janpahad Section, Huzurnagar Range - for limestone mining lease in favour of M/s. Deccan Cements Ltd for a period of (20) Yrs co-terminus with lease under MMRD Act - instructions to process proposals for extension of mining lease - certain instructions issued - Reg.

Ref : Representation received from M/s DCL, Ref. No. DCL:MINES:SV:2018-19/142, Dt. 24.08.2018.

Attention is invited to the subject and reference cited above it is to inform that clarification of the details submitted by M/s Deccan Cements Ltd., is as follows:

Our mining lease is executed on 09.02.2000 for a period of 20 years. Copy attached herewith - (Annexure-1):

As per the annexure-1 submitted by the User Agency, as per the proceeding of Asst. Director Mining and Geology, the agreement was made on 09.02.2000 between the UA and the Department of Mines and Geology. But, it is noticed from the records available in the O/o DFO, Suryapet that, the mining lease agreement made between the UA and Forest Department entered on 30.03.1998 and lease expired on 05.05.2013.

In this regard it is submitted that, as per Para 2.2 (iv) of guidelines of F(C)Act, 1989, the renewal proposal should be submitted by UA one year prior to date of expiry of existing lease and the processed proposal should be submitted to Govt by State Govt. at least 6 months prior to the expiry of the existing lease. But the proposals are not at submitted by the User Agency to the state Govt. till to date.

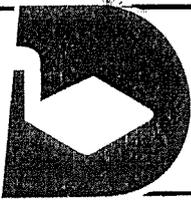
FC Guidelines No. F.No.8-490/89-Fc(Pt.I) dated 26.04.2004 says FC validity shall be extended up to mining lease period. Copy attached herewith - (Annexure-2):

In FC Guidelines No. F.No.8-490/89-Fc(Pt.I) dated 26.04.2004, it is not clearly specified in the said guidelines as to which date is to be taken into consideration for calculation of expiry date for an approved mining lease.

Hence, the User Agency is instructed to get the clarification regarding the discrepancy in calculation of expiry date. As per the agreement of the Forest Department with UA is expired on 05.05.2018. Hence, the UA is instructed to get the clarification at earliest possible.

28/9/2018
Deputy Conservator of Forests (WL)
O/o P.A. Chief Conservator of Forests,
Telangana, Hyderabad.

DECCAN CEMENTS LIMITED



CIN : L26942TG1979PLC002500
REGD OFFICE : 8-3-666/B,
"DECCAN CHAMBERS", SOMAJIGUDA,
HYDERABAD - 500 082.
PHONE : +91 (40) 23310188, 23310552,
+91 (40) 23310581, 23310999
FAX : +91 (40) 23318366
E-MAIL : info@deccancements.com
WEBSITE : www.deccancements.com

-1071-

Ref: DCL/03/2018/ML-FL

Date: 12.09.2018

Pr. Chief Conservator of Forests,
(Head of Forest Force),
Aranya Bhavan,
Saifabad, Hyderabad,
Telangana

Dear Sir,

Sub: Clarification sought on expiry date of Forest Lease for Mining Lease (ML-2) over an extent of 73.93 Ha in Compartment No. 27 of Saidulnama RF, Miryalguda Range of Suryapet District.

- Ref: 1. DCL Letter No.01/2018/ML-2/EXTN, dated 06.01.2018.
- 2. DCL Letter No. DCL/02/2018/ML-FL dated 30.04.2018.
- 3. PCCF Hyderabad Letter No. RC. No.10981/2002/FCA-5(iii), dated 24.03.2018 addressed to the Director General of Forest, MoEF&CC, New Delhi.
- 4. DFO, Suryapet Letter No. RC.No.3242/2017/S1 dated 25.08.2018

Vide reference 1 cited above we have sought clarification on expiry date of Forest Lease for the subject mine which is currently in operation and critical for the Cement Plant.

Vide reference 2 cited above we have also asked for "deemed extension" of the subject Forest Lease for 50 years as per MM(D&R) Amendment Act, 2015. Since we have already obtained Mining Lease extension.

Vide reference 3 cited above your office was kind enough to seek clarification on this issue from MoEF&CC, New Delhi.

Meanwhile vide reference 4 cited above (copy enclosed), the DFO, Suryapet has issued a letter stating that if a clarification on the Forest Lease being co-terminus with the Mining Lease (upto the year 2020) is not received by end September 2018 the mining work would be stopped.

Under the above circumstances, until a clarification is issued by your office in respect of Forest Lease being co-terminus with the Mining Lease under the MM(D&R) Act, we request you to inform the DFO that no coercive steps should be taken as the subject mine is under operation.

Alternatively we request you to give your approval for extension of Forest Lease under "deemed extension" as per MM(D&R) Amendment Act, 2015.

Thanking you,

Yours faithfully,
For Deccan Cements Limited

G R Ram
Sr. Vice President

Works : Bhavanipuram, Janpahad P.O., Pin:508 218. Suryapet Dist. (T.S.)
Phones : (08683) 229503, 229504, 229505, 229507, Fax : (08683) 229502

FCA-5
12/9/18
Verify & pickup.
Reminder
Copy to DGF
IAF (FCA)
Copy to DGF
Clarification on all points & whether mining activity should be permitted to continue now or not.

12/9/18
FCAS

Deputy Conservator
Pr. Chief Conservator
Telangana, Hyderabad

28/11/2018

F. No. 11-51/2015 – FC
Government of India
Ministry of Environment, Forest and Climate Change
(F C Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi-110 003.
Dated: 30th November, 2017.

To

The Principal Secretary/Secretary (Forests),
All States / Union Territories Governments.

Sub: Diversion of forest land for non-forest purpose under the FCA 1980 – Guidelines regarding extension of period of validity of approvals accorded under the FCA 1980 for diversion of forest land for mining projects.

Sir,

Kindly refer to the guidelines issued by this Ministry vide letter No. F. No. 11-51/2015-FC dated 1st April 2015, F. No. 11-51/2015-FC dated 1st May 2015, F. No. 11-599/2014-FC dated 1st May 2015 and F. No. 5-5/2017-FC dated 20th September 2017 in view of MMDR Amendment Act, 2015 regarding extension of validity of approvals accorded under section 2 of FC Act. Ministry vide above mentioned letter, extended the validity of FC approvals upto a period co-terminus with the period of mining lease in accordance with the provisions of MMDR Act, 1957, as amended by MMDR Amendment Act, 2015 subject to conditions specified in these guidelines.

As per the section 15 of the MMDR Act, 1957 the state Government may, by notification in the Official Gazette, make rules for, regulating grant of quarry leases, mining leases or other mineral concessions in respect of minor minerals and for purposes connected therewith specifying the validity of lease period. Representations have been received from various states that the period of validity of the Forest Clearance granted under section 2(ii) of the Forest (Conservation) Act, 1980 may be made co-terminus with the mining lease period as provided in the Rules made by the State Government under section 15 of MMDR Act, 1957 in light of the similar guidelines issued for minerals covered under MMDR Act, 1957 as amended in MMDR Amendment Act, 2015.

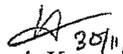
The Ministry has examined the matter and I am directed to convey that the existing period of validity of forest clearance granted for diversion of forest land under section-2(ii) of Forest Conservation Act 1980 for mining of minor mineral in the state regulated under Rules made under section 15 of MMDR Act, 1957 shall be for a period co-terminus with the period of mining lease as deemed extended under the Rules made under section 15 of MMDR Act, 1957 subject to the following conditions:

- (i) The State Government shall, realize from the user agency the Net Present Value (NPV) of the forest land so diverted, if not realized so far, within two years in two equal instalments from the date such Rules became enforceable.

- (ii) In case of NPV of forest land for which a period of approval under the FC Act, 1980 has been extended has not been realized and the State Government fails to realized the same within the period of two years as per the clause (i). approval under the FC Act for such forest land shall be deemed to have been kept in abeyance, till such time, the NPV of such forest land is realized by the State Government and all mining operations shall be suspended during the period the FC has been kept in abeyance.
- (iii) In case where diversion of forest land has been accorded in single proposal to a state agency for cluster of mines assigned to more than one lease holder, the entire NPV as applicable shall be deposited within two years in two equal instalments by the state agency in whose favor the FC has been granted.
- (iv) The Regional Office of the Ministry shall regularly monitor status of compliance to conditions stipulated in approvals accorded under the FC Act for diversion of forest land falling in mining leases so as to ensure that the user agencies comply with all these conditions before the land falling in such leases is surrendered to the concerned State Government/ Union Territories on expiry of the mining lease.
- (v) Those mining leases whose mining lease had expired but were under extension (deemed or otherwise) when these Rules came into force and had not obtained Forest Clearance will be required to obtain fresh Forest Clearance under section 2(ii) of FC Act, 1980.
- (vi) Provisions of this letter, notwithstanding anything contained therein, shall not apply to forest land falling in a mining lease for which renewal has been rejected, or which has been determined or lapsed before the issue of this letter.

This issues with the approval of competent authority.

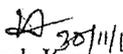
Yours faithfully,


(Naresh Kumar)

Dy. Inspector General of Forests

Copy to:

1. All PCCFs States/UTs
2. All Regional Office, MOEF&CC
3. Nodal Officers (FCA) O/o the PCCFs All States/UT
4. DIGF(FC)/Dir(ROHQ)/All AIGFs(FC), MOEF&CC New Delhi
5. PPS to Secretary, MOEF&CC New Delhi
6. PPS to DGF&SS, MOEF&CC New Delhi
7. PPS to IGF(FC)
8. Guard File


(Naresh Kumar)

Dy. Inspector General of Forests

F.No. 5-5/2017 – FC
Government of India
Ministry of Environment, Forest and Climate Change
(F C Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi-110003.
Dated: 26th September 2017

To,
The Principal Secretary
All States/Union Territories

Sub: Clarification on guideline dated 01.04.2015 and 01.05.2015 issued by this ministry regarding extension of period of validity of approvals accorded under the Forest (Conservation) Act, 1980 for diversion of forest land for mining projects in light of extension of mining lease under MMDR Amendment Act 2015

The Government of Karnataka has sought a clarification on guidelines dated 01.04.2015 and 01.05.2015 issued by this ministry regarding proposals presently under various stages of examination in the Central and State Governments for renewal of mining lease.

In this regard kindly refer to the Ministry's letter of even number dated 1st April 2015 on subject regarding extension of period of validity of approvals accorded under the Forest (Conservation) Act, 1980 for diversion of forest land for mining projects wherein it was informed that in case of existing mining leases in respect of minerals specified in sub-section (1) of section 8A of the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR, Act, 1957) inserted by the Mines and Mineral (Development and Regulation) Amendment Act, 2015, period of validity of approvals accorded under section 2 of the Forest (Conservation) Act, 1980 (FC Act) shall be extended, and shall be deemed to have been extended upto a period co-terminus with the period of mining lease in accordance with the provisions of the MMDR Act, 1957, as amended, subject to the conditions stipulated in the afore-mentioned letter.

Further refer to the guideline dated 1st May 2015 whereby it was clarified that proposals seeking prior approval of Central Government under the FC Act for renewal, in accordance with the provisions of the MMDR, Act, 1957 prior to its amendment by promulgation of the afore-mentioned Ordinance, of mining leases to which provisions of the afore-mentioned guidelines dated 1st April 2015 extends, shall be closed, in case prior approval of Central Government under the FC Act for the entire forest land indicated in such proposal has already been obtained during the original lease period or previous renewal(s) of the mining lease. However, in case during the validity of the original lease or previous renewal prior approval of Central Government under the FC Act for a part of the forest land indicated in such proposal has only been obtained, such proposals shall be processed for such reduced area of forest land for which approval

under the FC Act during the original lease period or previous renewal(s) has not been obtained.

The above referred clarifications were issued assuming that no FC violation has been committed by the user agencies at the time of extending the period of FC clearance co-terminus with the extended mining lease.

In light of the clarification sought by Government of Karnataka, it is clarified that as a matter of fact the FC clearance expired on the date the lease expired as per the un-amended MMDR Act 1957. There was no provision for deemed extension of FC clearance in the existing rules. The user agencies must stop the working in the lease area involving forest land till the renewal of FC clearance. The Mines and Mineral (Development and Regulation) Amendment Act, 2015 came into effect from 12th January 2015 extending the original lease period to 50 years from the date of original assignment of lease. Before such amendment any non-forestry activity in the absence of valid FC clearance amounts to violation committed by the user agencies and appropriate penal action for violation of FC Act must be taken before extending the period of validity of the existing FC clearance co-terminus with the mining lease period extended in accordance with the MMDR Amendment Act, 2015.

The matter has been examined in the ministry and I am directed to state that those mining leases, whose lease had expired but were under extension (deemed or otherwise) when MMDR Act 2015 came in force and had not obtained Forest Clearance will be required to obtain fresh Forest Clearance under section 2(ii) of Forest Conservation Act 1980.

This issues with the approval of competent authority

NA
29/9/17
(Naresh Kumar)

Dy. Inspector General of Forests

Copy to:

1. All PCCFs States/UTs
2. All Regional Office, MOEF&CC
3. Secretary, M/o Tribal Affairs, Shastri Bhawan, New Delhi
4. Nodal Officers (FCA) O/o the PCCFs All States/UT
5. DIGF(FC)/Dir(ROHQ)/All AIGFs(FC), MOEF&CC New Delhi
6. PPS to Secretary, MOEF&CC New Delhi
7. PPS to DGF&SS, MOEF&CC New Delhi
8. PPS to IGF(FC)
9. Guard File

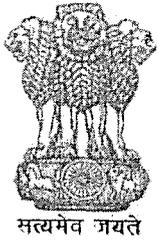
NA
29/9/17
(Naresh Kumar)

Dy. Inspector General of Forests

OK

NA
11.10.17

Annexure-XXI
Letter 2 pages.



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
शेनैय कार्यालय (दक्षिणी पूर्व परिशेन)/Regional Office (South Eastern Zone)
1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,
Nungambakkam, Chennai – 600034
Ph: 044-28222325 Email: ro.moefccc@gov.in



F.No.F(C)A/11.1/64/AP/4/1/(85)/90/(P) 1374
Dated:04-07-2016

To

The Principal Secretary to the Government of Telangana
Environment, Forests, Science & Technology Department,
Secretariat, Hyderabad-22.

Sub: Renewal of Mining Lease for Lime Stone over an extent of 55.71 acres (22.55 ha) in
Comp No.27 and 28, Saidulnama RF-Miryalaguda Taluk Nalgonda dist.-monitoring-
regarding.

Sir,

The above mentioned forest diversion proposal was monitored on 26 & 27-04-2016 for
compliance of the Forest Clearance conditions.

1. The reclamation plan as stipulated in the FC conditions has not been carried out properly and also the mine has not been closed properly as per the IBM approved mine closure plan. Proper sloping has not been provided to the mined out area.
2. The plantation carried out as part of the reclamation work has been found unsatisfactory. The General Manager, Deccan Cements, present during the inspection has informed that since all the dug up materials are exhausted by the company, enough material is not available for carrying out the reclamation. Hence the UA may be instructed to bring out fresh soil from outside and carry out the reclamation work properly.
3. The lime stone material is dug up from the rocky portions up to a depth of 10 to 20 metres resulting in creation of large water body. The UA, in consultation with DFO, Nalgonda may be asked to carry out pisciculture in the stored water.

Hence in this regard, I am directed to request that a compliance report on the above mentioned observations may be sent to the Government of India at the earliest.

Yours faithfully,

(Dr.K.Ganesh Kumar, IFS)

Dy. Conservator of Forests (Central)

Encl: Monitoring Report

ok

DESPATCHED

Date: 04/07/16 Rgt (S)

Copy to:

- 1) The Principal Chief Conservator of Forests, Forest Department, Government of Telangana, Aranya Bhavan, Saifabad, Hyderabad.
- 2) APCCF cum Nodal officer (FCA), Office of the Principal Chief Conservator of Forests, Government of Telangana, Hyderabad.
- 3) The District Forest Officer, Nalgonda Forest Division, Nalgonda, Telangana.


(Dr.K.Ganesh Kumar, IFS)
Dy. Conservator of Forests (Central)

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Homexure - XXI
"True Copy of the Document /
Record supplied under RTI Act"
A 1 page

From
Sri P.T.Rambabu, M.Sc,
Divisional Forest Officer,
Krishna Division,
Vijayawada.

To
The Divisional Forest Officer,
Nalgonda.

Rc No.945/05-V6, Dated: 30-09-2007



14872/01
FORESTS - Reservation of Forests - Krishna District - Jaggaiahpetta Mandal
- Tripuravaram (V) - Tripuravaram Protected Forest - Vijayawada Range -
Krishna Division, Vijayawada - Compensatory Land to be taken from M/s
Deccan Cements Limited, Hyderabad for notification U/S 4 of Andhra
Pradesh Forest Act, 1967 - Regarding.

- Ref:-
1. Divisional Forest Officer, Eluru Rc.No.3718/91-D2, Dated: 03-01-1992.
 2. This office Rc No. 945/2005-V6, Dated:23-07-2007.
 3. This office Rc No. 945/2005-V6, Dated:18-08-2007.

I invite attention to the reference 2nd cited.

F2
The Divisional Forest Officer, Nalgonda was requested to issue a notice to M/S Daccan Cement Limited Hyderabad for transferring of C.A land in R.S No.22 and 23 of Tripuravaram (V) over an extent of 22.55 Ha. immediately in favour of Forest Department i.e, Divisional Forest Officer, Krishna Division, Vijayawada and till such time, mining operation of user agency may please be stopped with immediate effect, as it attracts the penal provisions of the Forest (Conservations) Act 1980.

The report as requested is awaited from the Divisional Forest Officer, Nalgonda. For want of the above, finalization of draft notification proposals under section (4) of A.P.Forest Act, 1967, in respect of Tripuravaram Forest Block is held up since long time.

The Divisional Forest Officer, Nalgonda is requested to take necessary action and furnish a report in the matter, at an early date, so as to take further necessary action as deemed fit.

Yours faithfully,
Sd/- P.T.Rambabu
Divisional Forest Officer,
Krishna Division, Vijayawada.

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

Copy submitted to the Conservator of Forests, Hyderabad for favour of kind information and necessary action.

Copy to the Forest Range Officer, Vijayawada with a request to pursue the matter with Divisional Forest Officer, Nalgonda and report compliance forthwith.

//t.c.b.o/
P. Ramani
30.09.07
Superintendent

M.W.
30/9/07
30/9/07

Jayapr
28/10/2011

Deputy Conservator of Forests (WL)
O/o Prl. Chief Conservator of Forests,
Telangana, Hyderabad.



भारत सरकार
पर्यावरण एवं वन मंत्रालय
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS
क्षेत्रीय कार्यालय (दक्षिण वलय)

Regional Office (Southern Zone)
Kendriya Sadan, 4th Floor, E&F Wings, 17th Main Road,
2nd Block, Koramangala, Bangalore - 560 034.

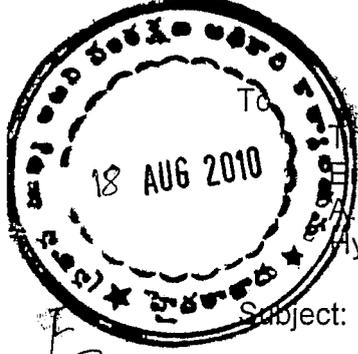
Attachment - XXI, B, 38404
"True Copy of the Document /
Record supplied under RTI Act"

Telegram : PARYAVARAN
BANGALORE

दूरभाष :

Telephone :

No.F@A/11.1/64/API/7658/20
Dated the 22nd July, 2010



To
The Special Secretary to the Government of Andhra Pradesh,
Environment, Forests, Science & Technology Department,
A.P. Secretariat,
Hyderabad- 500 022

Subject: Diversion of 22.5 ha. of forest land for renewal of mining lease in
favour of M/s Deccan Cements Ltd. in Nalgonda District.

Sir,

I am directed to inform that the above project was monitored by Deputy
Conservator of Forests (Central) on 19.04.2010 and during the monitoring it was
observed that reclamation work has not been completed. It is, therefore,
requested to ensure that reclamation work is completed at an early date. A
report in this regard may please be sent to this office at the earliest.

Yours faithfully,

(N.S. Murali)

Deputy Conservator of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests, Forests Department, Govt. of
Andhra Pradesh, Aranya Bhavan, Saifabad, Hyderabad, PIN- 500 004.
2. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA),
Office of the Principal Chief Conservator of Forests, Forests Department,
Govt. of Andhra Pradesh, Aranya Bhavan, Saifabad, Hyderabad- 500 004.

(N.S. Murali)

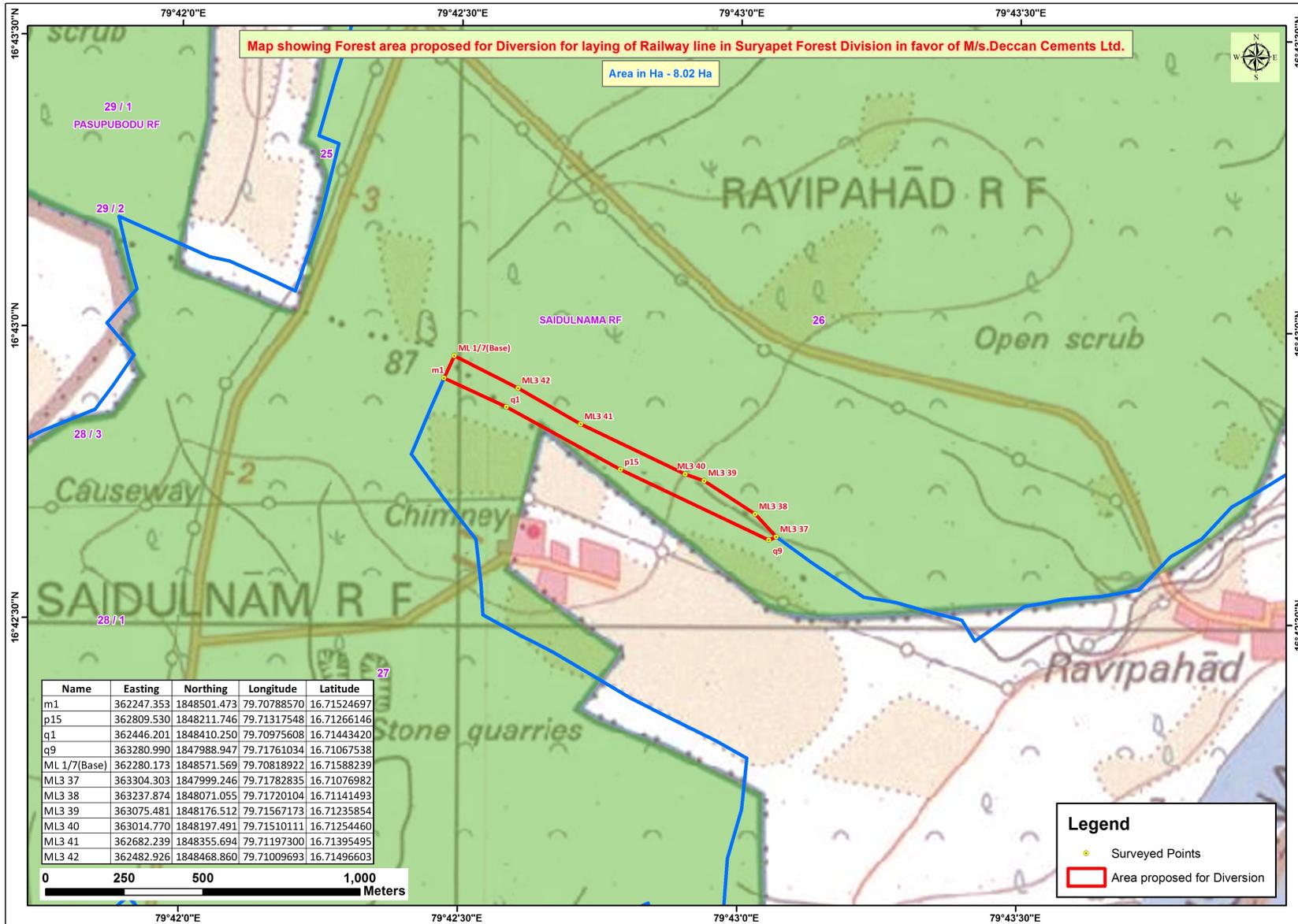
Deputy Conservator of Forests (Central)

10749/87

Deputy Conservator of Forests (WL)
O/o Prl. Chief Conservator of Forests,
Telangana, Hyderabad.

28/8/2010

**Sketch showing the proposed forest diversion for railway siding over an extent of 8.02 Ha
in Compartment No.26 of Saidulnama R.F.Janpahad Section, Huzurnagar Range,
Suryapet Division, Telangana in favour M/s Deccan Cements Limited**



For Deccan Cements Limited

(Signature)
(S.Venkateswarlu)
Director (W)

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN BENCH AT CHENNAI**

ORIGINAL APPLICATION No. 33/2016 (SZ)

Vakkanti Koteswar Rao

..... Applicant

Vs

Ministry of Environment, Forests & Climate Change & others..... Respondents

**REPLY AFFIDAVIT ON BEHALF OF MINISTRY OF ENVIRONMENT,
FORESTS AND CLIMATE CHANGE, GOVERNMENT OF INDIA i.e.
RESPONDENT NO. 1**

I, ELAMURUGANNAN SHANMUGAM, S/O SHANMUGAM APPAVU (Late), Aged 45 years, currently working as Assistant Inspector General of Forests, Integrated Regional Office, Hyderabad, Ministry of Environment, Forests and Climate Change, Government of India, do hereby solemnly affirm and state as under.

1. That I am conversant with the facts and circumstances of the case on the basis of official records, and as such authorized and competent to swear this affidavit.
2. It is respectfully submitted that, the Hon'ble NGT, Chennai in its interim order dated 19.08.2020 directed the Regional Office, MoEF&CC to consider the report submitted by the joint committee constituted by the Hon'ble NGT and if any action is required on that basis and to take appropriate action in accordance with law and submit the report to that effect;
3. It is respectfully submitted that, as directed by the Hon'ble NGT, the Integrated Regional Office (IRO) Hyderabad has requested the Telangana State Government to submit factual report regarding alleged violations i.e encroachments into the Reserved Forest land;



4. It is respectfully submit that, after continuous follow up by the Integrated Regional Office, Hyderabad, the Telangana State Government vide letter No 1312/For.I(1)/2014 dated 22.04.2021 submitted the enquiry report to the IRO, Hyderabad based on the orders issued by Hon'ble NGT, Chennai dated 19.08.2020 and 22.02.2021;
5. That in pursuant to Hon'ble NGT order dated 19.08.2020 and Joint Committee Report, constituted by the Hon'ble NGT, the Ministry vide letter dated 05.08.2021 issued Show Cause Notice to the project proponent (i.e. M/s Deccan Cements Limited for its non-compliance and violation of specific condition of Environment Clearance dated 18.10.2017 and 05.01.2017 granted by the Ministry. It is further submitted that reply to the said Show Cause Notice is awaited. Copy of the Show Cause Notice dated 05.08.2021 is attached as **Annexure A1**.
6. It is respectfully submitted that, subsequently the Telangana State Government vide letter No 1632/For.I(I)/2020 dated 22.04.2021 forwarded a proposal for regularization of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favor of M/s Deccan Cements Limited (DCL), Hyderabad to the Integrated Regional Office, Hyderabad and requested to accord approval under Forest (Conservation) Act, 1980;
7. It is respectfully submitted that, as the proposal is linear in nature and having area more than 5 hectares with violation of FCA, 1980, the Integrated Regional Office, Hyderabad placed the proposal before the Regional Empowered Committee (REC) for consideration and to take appropriate decision as per the provisions of Forest (Conservation) Act 1980 and rules/guidelines framed there under;
8. The Regional Empowered Committee (REC) in its 47th meeting held on 07.05.2021, noted the interim orders issued by the Hon'ble NGT in OA 33/2016 and in specific discussed in detail the order dated 19.08.2020 and examined the proposal submitted by the Telangana State Government seeking approval for regularization of 8.02 ha of forest area. The committee of REC, deliberated in details on all aspects and after hearing both the Forest Department Officials & the representative of the User Agency, the committee opined that though the M/s Deccan Cement Limited obtained the prior approval of Regional office, Bangalore, Government of India during 2011 for diversion of 1.9337 ha for railway siding, the User Agency would have been consulted the Forest Department before taking up of any activity near to the RF boundary to avoid violation of FCA, 1980 over an extent of 8.02 ha.

4

The Committee opined that the encroachment of 8.02 ha of forest area is completely in violation of condition No. 06 stipulated by the erstwhile Regional Office in its order No 4-APB633/2009-BAN/9849 dated 22.09.2011 and the committee concluded that the User Agency utilized / encroached additional 8.02 ha shall be penalized as per the provisions made in the comprehensive hand book under 1.21 (iii) and also decided to impose Penal Compensatory Afforestation (PCA) as proposed by the State Government.

9. After deliberation on all aspects and considering the directions issued by Hon'ble NGT based on the report of the Joint Committee Constituted by the Hon'ble NGT and also need of the railway siding as per the conditions stipulated in the Environmental Clearance, the committee opined that the established railway siding by the M/s Deccan Cements Limited is essential for the conservation of environment and forests and hence decided to **RECOMMEND** the proposal to regularize / diversion under FCA, 1980 subject to the standard conditions as applicable to such railway projects with the following additional conditions;

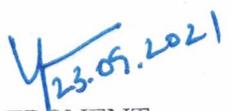
- a. Committee decided to impose a penalty of 2 times the NPV as per provisions made in the comprehensive guidelines hand book under section 1.21 (iii) (a) ;
- b. The violation committed by the User Agency / Forest Department officials shall be dealt as per the provisions made in State Forest Act or FC Act and its Rules and guidelines made there under.
- c. Penal Compensatory Afforestation (PCA) over 17 ha of degraded forest area Compt.No.9, Ramavaram RF, Pengadapa beat, Musalivarre (W), Ramavaram Range shall be carried out with financial outlay of Rs.120.3289 lakhs as per proposed PCA Scheme;
- d. The user agency shall get the wildlife mitigation plan prepared by any competent person /agency and the same should be approved by the Chief Wildlife Warden and implemented at the cost of the User Agency;
- e. The user agency has to deposit funds for erection of the Boundary Pillars throughout the entire length of Saidulanama RF so as to ease the further discrepancies if any.
- f. User Agency has to erect a 4 ft height parapet wall on towards the Forest Boundary all along the length of the proposed diversion.
- g. Trees standing within 8.02 ha shall not be felled.



- h. In consultation with the DFO, Concerned, User Agency shall carryout plantation of long living and environmental tree species like Peepal (*Ficus religiosa*) Banyan (*Ficus benghalensis*), Tamarind (*Tamarindus indica*), Neem (*Azadirachta indica*), and Jamun (*Syzygium cumini*) etc in vacant area within the 8.02 ha,
- i. The User Agency shall take prior approval of Government of India for any new non forestry activity within 8.02 ha;

Minutes of the 47th meeting of Regional Empowered Committee (REC) held on 07.05.2021 is placed at Annexure A2. The Stage-I approval accordingly was issued by the IRO concerned.

9. It is respectfully submitted that, in view of the subject court case before Hon'ble NGT, SZ, Chennai, the subject proposal was forwarded to Ministry, New Delhi for concurrence. Since, the instant matter was also related to regularization of encroached land, ex-post facto, approval was accorded by the competent authority in the matter and subsequently, the Integrated Regional Office, Hyderabad vide letter No 4-TSC-182/2021-HYD/116 dated 30.07.2021 conveyed the revised **Stage I** (In-principle) approval under FCA, 1930 for diversion of 8.02 ha of forest area in Saidulnama RF of Suryapet Division for establishing part of the railway siding and associated activities and other permanent structures in Suryapet District in favor of M/s Deccan Cements Limited (DCL), Hyderabad for a period of 30 years subject to certain conditions (**enclosed as Annexure A3**);
10. That, in view of the aforementioned facts and circumstances, Hon'ble Tribunal may kindly be pleased to pass an order as deemed fit.


23.09.2021
DEPONENT

VERIFICATION

I, the above deponent do hereby verify that the contents of the above affidavit are true and correct on the basis of official record maintained by the respondent No 1 in daily course of business, no part of it is false and noting material has been concealed therefrom.

Verified at Bengaluru on 23rd day of September, 2021


23.09.2021
DEPONENT