



# Government of Telangana

## Supporting Documentation for implementation of Ease of Doing Business Reforms in the State of Telangana

**Concerned Department:** Forest Department

4a. Construction Permit Enablers

### DIPP Point No. 73

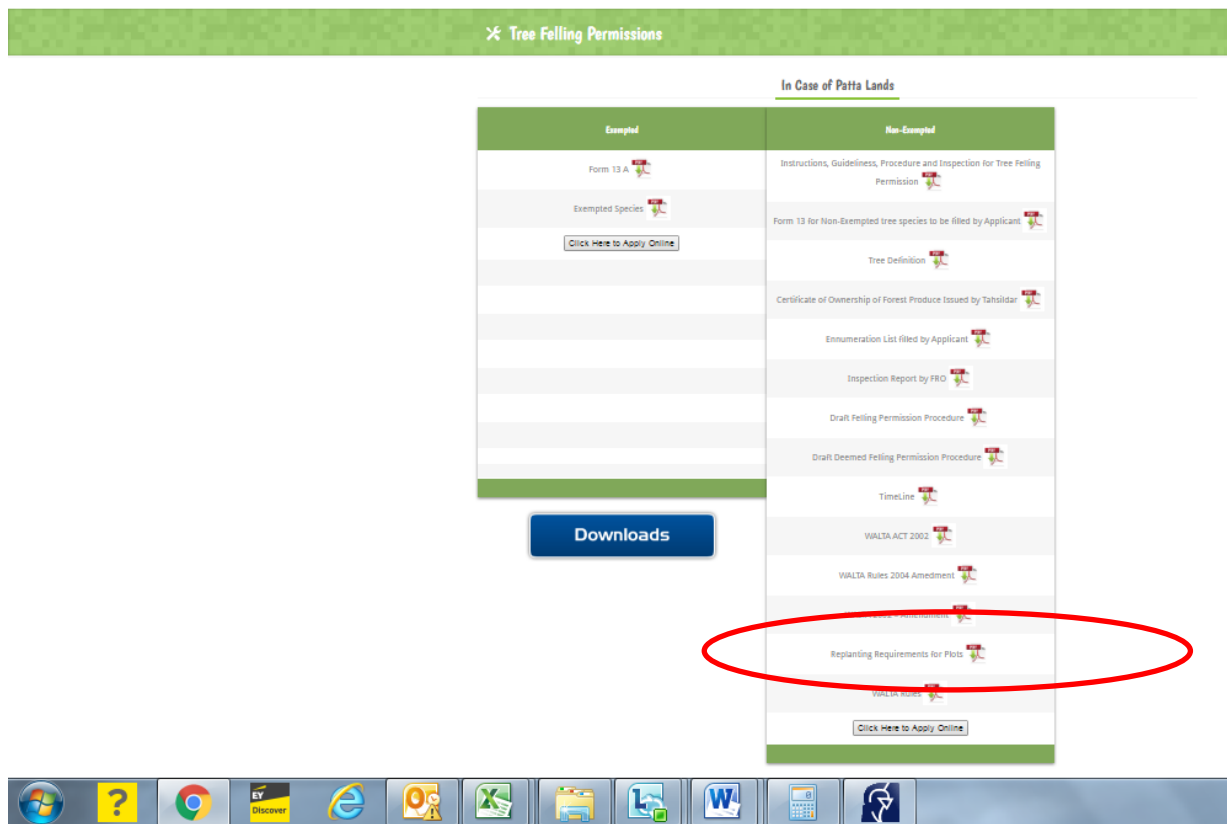
Publish online detailed information on replanting requirements for plots with varying tree populations.

### Compliance Supporting Documentation

URL	<a href="http://forests.telangana.gov.in/Documents/EODB/MIS/NoOfTree.pdf">http://forests.telangana.gov.in/Documents/EODB/MIS/NoOfTree.pdf</a> <a href="http://forests.telangana.gov.in/Documents/EODB/MIS/Circular%20No.2.pdf">http://forests.telangana.gov.in/Documents/EODB/MIS/Circular%20No.2.pdf</a> <a href="http://forests.telangana.gov.in/Documents/FCA/WALTA%20Act%202002.pdf">http://forests.telangana.gov.in/Documents/FCA/WALTA%20Act%202002.pdf</a>
GO/ Notification/ Act	Walta 2002 Circular No. 2/2016 Dated 24.02.2016
Screenshots	Please refer below
Login Details	NA
Approach to Reform	Government of Telangana has explicitly mentioned about replanting requirements for plots on the department portal. As per Walta Act applicant shall have to plant double the number of trees felled and in case he fails to plant and raise required number of plants, the Designated Forest Officer / Forest Range Officer will raise the required number of plants at the cost of the applicant. This has been reiterated through Circular by Forest Department



### Screenshots of Replanting Requirements for plots with varying tree populations





forests.telangana.gov.in/pages/TFPApplicationsDownloads.aspx

Downloads

- Inspection Report by FRO
- Draft Felling Permission Procedure
- Draft Deemed Felling Permission Procedure
- TimeLine
- WALTA ACT 2002
- WALTA Rules 2004 Amedment
- WALTA 2002 – Amendment
- Replanting Requirements for Plots**
- WALTA Rules

Click Here to Apply Online

NoOfTree.pdf 1 / 2

forests.telangana.gov.in/Documents/EODB/MIS/NoOfTree.pdf

13.As per the provisions of WALTA Act/Rules, applicant shall have to plant **double the number of trees felled** and in case he fails to plant and raise required number of plants, the Designated Officer/Divisional Forest Officer will raise the required number of plants at the cost of applicant. In order to comply with the above provisions under law, the Divisional Forest Officer/Designated Officer will estimate and raise demand and obtain a Security Deposit towards cost of raising required number of plants from the Applicant. On receipt of Demand Notice from the Designated Officer/Divisional Forest Officer, the Applicant shall submit Security Deposit in the shape of a **Bank Guarantee or Demand Draft**. The Security Deposit furnished by the applicant will be refunded on raising the required number of plants and maintaining them for a minimum period of (3) years. In case of failure to raise required number of plants by the applicant, the

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**Complete Circular Stating the replanting requirements for plots with varying tree populations (Circular No. 2/2016)**

**GOVERNMENT OF TELANGANA  
FOREST DEPARTMENT**

Ref.No.1109/2015/Prod.2/TG,  
Dated: 24.02.2016.

Office of the Principal Chief Conservator of  
Forests  
(Head of Forest Force)  
Telangana, "Aranya Bhavan,  
Saifabad, Hyderabad - 500 004.

**CIRCULAR No.02/2016**

**Sri P.K. SHARMA, I.F.S.,  
Principal Chief Conservator of Forests  
(Head of Forest Force)**

Sub: Forest Department - Ease of doing business - Simplification of process to give tree felling permission under WALTA for establishing industry in the state - Detailed instructions issued - Reg.

Ref: 1. Industry & Comm. (IP & INF) Dept., Lr.No.7538/IP&INF/A1/2015, dt.05.11.2015.  
2. G.M.No.4989/For.I(1)/2015-2, EFS&T. (For.I) Dept., dt.26.11.2015.

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The Government of Telangana is encouraging establishment of new industries in the state aimed at economic growth coupled with employment generation. Department of Industry Policy and Promotion, Ministry of Commerce and Industry, Govt. of India, has communicated 344-Point Reform Action Plan on Ease of Doing Business. The Government of India has further informed that states will be ranked based on the measures taken to operationalise 344 - Point Reform Action Plan. One of the important reforms relates to permission for felling of trees for establishing new industry under "Ease of Doing Business". Out of 344 - Point Reform Action Plan, (14) relates to tree felling permission pertaining to Forest Department. The important reforms includes following:

- 1) The detail procedure covering all applicable steps from application submission to application approval is published online on department's website. It may be supplemented with process map, if available and in any case the details should be published explicitly and should not refer to Acts or Rules.
- 2) A comprehensive list of the documents that needs to be submitted as part of the application is included on the website.
- 3) Clear timelines are notified either on portal or through a notification and citizen charter.
- 4) The applicant/entrepreneurs shall be able to fill out and submit application form online, pay all associated fees online, applications are processed and approved by each licensing agency online, the user should be able to track the status of his application online and on approval the user shall be able to obtain approval/registration certificate online through the portal.



- 5) There are no physical touch points in the application process.
- 6) Other users should be able to check the authenticity of the document online, using the certificate number or other unique reference by visiting the portal.
- 7) To facilitate self-certification in place of tree N.O.C.
- 8) Allow third parties to easily verify approval certificate in the public domain.

To encourage rapid industrialisation and ease of doing business, the Government of Telangana has passed "Telangana State Industrial Project Approval and Self Certification System Act, 2014". Among several reforms initiated by the Government, the TS-iPASS Common Application Form has been introduced. Under the TS-iPASS Common Application Form, the applicant/entrepreneur is supposed to furnish all details pertaining to different departments in a common application form online along with fees to be paid. On successful completion of filling the TS-iPASS Common Application Form, the relevant details will be sent to the concerned departmental authority for giving necessary license/permission connected with establishment of new industrial units.

Several rounds of discussions has been held with the Chief Secretary to Government and World Bank Team to fine tune the action to be taken to implement 344 - Point Reform Action Plan on Ease of Doing Business as recommended by the Government of India.

In the above background, following instructions are issued for grant of tree felling permission under WALTA for establishment of new industrial unit under TS-iPASS:

**Procedure for grant of tree felling permission for establishment of new industry under TS-iPASS.**

1. Person/Firm/Company intending to fell tree growth existing on the patta land or Government assigned/leased land for establishing new industry in the state of Telangana shall furnish details of trees proposed to be felled in the TS-iPASS Common Application Form (Telangana State Industrial Project Approval and Self Certification System) along with required documents and fees to be paid towards tree felling permission and security deposit for ensuring re-planting of the area under WALTA. Upon successful filing of TS-iPASS Common Application Form, the details of trees to be felled will be forwarded to the concerned Divisional Forest Officer/Designated Officer along with enclosures/certificates and payment details through e-mail for according tree felling permission under WALTA under intimation to the applicant. The applicant will be able to monitor the status of application online by using user ID and password generated for TS-iPASS Common Application Form.
2. An amount ₹.50.00 (Rupees fifty only) per tree for urban residential and institution areas and ₹.100.00 (Rupees Hundred only) per tree for commercial areas shall be payable towards inspection fee as prescribed under WALTA/Rules or as revised from time to time. The inspection fee shall be paid online through the department's website or through TS-iPASS



Common Application Form. A system generated receipt will be made available to the applicant towards the fee paid.

3. If the proposed land for tree felling is recorded as "forest" in any Government record (Revenue/Forest) the provisions of Forest Conservation Act (FCA), 1980, will be attracted as per the orders of Hon'ble Supreme Court in W.P. Civil No.202 of 1995, dated 11.11.1996. In such cases prior permission of Government of India will be essential for felling the trees and conversion of such forest land for any non-forestry purpose. Detailed guidelines and procedure for submitting online application for seeking prior permission from Government of India under F.C.A. are available at Ministry of Environment, Forest & Climate Change (MoEF & CC), Govt. of India's website [forestsclearance.nic.in](http://forestsclearance.nic.in).
4. The applicant shall also enclose the list of trees existing in the proposed land and trees proposed to be felled in **Annexure-II** in TS-iPASS Common Application Form. If the tree growth proposed to be felled is exempted under WALTA Act/Rule, Self-Certificate to this effect in Form-13A prescribed under WALTA will be sufficient and no further permission for felling of such trees will be required. At present, trees belonging to Eucalyptus, Subabool and Casuarina species are exempted from tree felling permission under WALTA/Rules. For trees other than Eucalyptus, Subabool and Casuarina, the details have to be furnished by the applicant under Form-13 prescribed under WALTA/Rules and enumeration list of trees to be felled has to be furnished under Annexure-II. If proposed trees include both exempted and non-exempted tree species under WALTA, Application has to be given in Form-13. For tree species not exempted under WALTA, prior felling permission from Divisional Forest Officer/Designated Officer will be required and if such trees are felled without prior permission, the same will tantamount to an offence under the Act and the offender will be liable to be punished under provisions of WALTA Act/Rules and Telangana (Forest Produce) Transit Rules/Telangana Forest Act.
5. The Applicant will be required to submit "Certificate of Ownership of Tree/Forest Produce" proposed to be felled from the concerned Tahsildar in the **Annexure-IV** required under Rule 5(3) of A.P. Forest Produce (Transit) Rules, 1970, while applying for tree felling permission under TS-iPASS Common Application Form. Certificate of Ownership of Tree/Forest Produce from Tahsildar is not required, if proposed trees are exempted under WALTA.
6. On receipt of details furnished under TS-iPASS Common Application Form through e-mail, the Divisional Forest Officer will verify correctness of online application submitted in Form-13, Form-13A along with Certificate of Ownership of tree growth / Forest Produce in **Annexure-IV** and Enumeration List of trees to be felled in **Annexure-II** and if any deficiency is noticed, the same shall be informed to the applicant through e-mail within (24) hours. Simultaneously, SMS alert will also be sent to the applicant on the registered mobile number.
7. On receipt of details furnished under TS-iPASS Common Application Form through e-mail, the Divisional Forest Officer/Designated Officer will forward the application through e-mail to the Forest Range Officer concerned within (24) hours of receipt of application in complete shape. The Forest Range



Officer will verify the location and extent of Patta land/Government assigned land/Government allocated land, tree growth, distance from the nearest Reserve Forest etc. The Forest Range Officer will get 100% enumeration of trees proposed to be felled checked through concerned or any other Forest Section Officer. The Forest Range Officer will test check 10% of the trees listed in the Enumeration List on random basis covering the entire area, if the area is less than 2 Ha. However, if the proposed area is more than 2 Ha, the Sub-Divisional Forest Officer/Divisional Forest Officer will also carry out the test check of 10% of the trees in the Enumeration List, in addition to test check done by the Forest Range Officer.

8. In land proposed for industry, if no yield of timber is expected, and by and large only firewood / root wood is expected, the applicant shall lay Sample Plots of 10 M x 10 M size for every 1 acre (0.4 Ha.) of land and arrive at the yield of firewood as well as faggot/root wood as the case may be. Such wood should be stacked in regular shaped stacks for arriving at the accurate yield figures; these should not be heaped irregularly. All the Sample Plots and extracted produce shall be 100% test checked by Forest Section Officer and 20% by the Forest Range Officer.
9. After verification/test check of the Enumeration List & the produce as detailed above, the Forest Range Officer will submit the Inspection Report along with Enumeration List and estimate of yield of Forest Produce (timber and Fire/faggot/root wood) species wise including Bamboo, if any, to the Divisional Forest Officer/Designated Officer in **Annexure-V**.
10. Inspection report of the Forest Range Officer in the prescribed **Annexure-V** shall be submitted to the Divisional Forest Officer concerned online within (24) hours of the inspection and scanned copy of inspection report shall be sent to the applicant on his registered e-mail address apart from SMS alert.
11. All the expenses towards marking, enumeration, extraction, stacking etc., will be borne by the applicant.
12. On receipt of Inspection Report of tree enumeration list online in **Annexure-V** from the Forest Range Officer, the Divisional Forest Officer/Designated Officer will accord **Tree Felling Permission** within (24) hours of receipt of the inspection report in the **Annexure-VI**. The applicant shall take-up felling of tree growth only after receipt of the permission from the competent authority.
13. As per the provisions of WALTA Act/Rules, applicant shall have to plant **double the number of trees felled** and in case he fails to plant and raise required number of plants, the Designated Officer/Divisional Forest Officer will raise the required number of plants at the cost of applicant. In order to comply with the above provisions under law, the Divisional Forest Officer/Designated Officer will estimate and raise demand and obtain a Security Deposit towards cost of raising required number of plants from the Applicant. On receipt of Demand Notice from the Designated Officer/Divisional Forest Officer, the Applicant shall submit Security Deposit in the shape of a **Bank Guarantee or Demand Draft**. The Security Deposit furnished by the applicant will be refunded on raising the required number of plants and maintaining them for a minimum period of (3) years. In case of failure to raise required number of plants by the applicant, the

Security Deposit will not be refunded and the Divisional Forest Officer shall arrange to plant the required number of plants from the Security Deposit available with him and inform the applicant accordingly. For this purpose, the office of Pri. Chief Conservator of Forests (HoFF) will prescribe the Unit rate per tree to be collected for raising and maintenance as required under WALTA. The cost of fencing for the plantation to be raised, will also be included in the cost of raising and maintenance of plantation, if the site is not well protected against biotic interference. For the year 2016-17, the security deposit shall be collected @ ₹.400/- per tree, which can be renewed every year.

14. The Divisional Forest Officer/Designated Officer will accord felling permission only after receipt of Security Deposit mentioned above.
15. If the Divisional Forest Officer/Designated Officer fails to accord tree felling permission within the stipulated time, a system generated alert will be sent to Conservator of Forests and Pri. Chief Conservator of Forests (HoFF) through SMS and e-mail for taking necessary action.
16. If the Divisional Forest Officer/Designated Officer fails to accord tree felling permission within (3) days of receipt of application form in complete shape along with the enclosures and fees through TS-iPASS Common Application Form, the permission shall be deemed to have been granted under WALTA and a system generated deemed permission as prescribed in **Annexure-VII** will be communicated to the applicant under intimation to Pri. Chief Conservator of Forests/Conservator of Forests. Deemed approval does not bestow any right on the applicant to transport the felled trees. Permission to transport non-exempted trees from the Divisional Forest Officer on a valid transit permit is mandatory under the provisions of Telangana Forest Produce Transit Rules, 1970. The applicant/entrepreneur shall not transport the felled tree without obtaining prior permission from the concerned Divisional Forest Officer and without transit permit.
17. If the Divisional Forest Officer/Designated Officer rejects application for according felling permission, the applicant may file an appeal to the Conservator of Forests through online application and the Conservator of Forests shall pass orders within (3) days of receipt of appeal and his decision will be final.
18. For according tree felling permission, following authorities are empowered:

Sl. No.	Tree species	Authority to give permission to fell tree growth
1.	Eucalyptus, Subabool and Casuarina	No permission required, Self-Certification from the applicant is sufficient.
2.	Trees other than Teak, Rosewood, Red Sanders, Sandalwood	Forest Range Officer/Designated Officer under WALTA up to (20) Nos. of trees.
3.	Trees exceeding (20) Nos. other than Teak, Rosewood, Red Sanders, Sandalwood.	Divisional Forest Officer/Designated Officer.
4.	Tree species belonging to Teak,	Divisional Forest Officer /





Rosewood, Red Sanders, Sandalwood	Conservator of Forests / Pri. C.C.F. as per existing norms under T.S. Forest Produce Transit Rules.
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19. After obtaining permission for felling tree growth from the competent authority, the applicant will take up tree felling and submit application to the Divisional Forest Officer for issue of Transit Permits under T.S. (Forest Produce) Transit Rules.
20. For issuing Transit Permits, the Forest Range Officer / Divisional Forest Officer concerned shall follow the provisions under T.S. (Forest Produce) Transit Rules and the instructions / Circulars issued by the Principal Chief Conservator of Forests from time to time.
21. All the tree felling permissions accorded shall be posted on the website for the Department in public domain for viewing by the 3<sup>rd</sup> party.
22. Entire process shall be web enabled and at no stage Applicant will be required to visit any of the Forest Dept. offices or meet Officers in person.
23. The Divisional Forest Officer concerned shall carry out enumeration of standing tree growth within (10) days of receipt of list of areas proposed for allotment/leasing to the Industry by the Telangana State Industrial Infrastructure corporation Ltd.

All the Divisional Forest Officers are requested to follow the above instructions and ensure that tree felling permission is granted within the stipulated time as per the flowchart enclosed.

Sd/-P.K.Sharma  
Principal Chief Conservator of Forests  
(Head of Forest Force)

To  
All Conservator of Forests, (Territorial), (P & E) and (Wildlife)  
All Divisional Forest Officer (Territorial), (Social Forestry) and (Wildlife).

//t.c.b.o//

*M. M. Manabala*  
Superintendent  
25/2/16

25/2/16



## ANNEXURE I

## FORM-13 (under Rule 24 of WALTA)

## APPLICATION FOR PERMISSION FOR FELLING OF TREES

1. Name of the Applicant/Firm/Company
2. Father's Name:
3. Age in completed years:
4. Complete postal address of the Applicant:
  
5. Contact Number of Applicant:
  - a. Phone
  - b. Mobile
6. E-mail ID of the Applicant:
7. Photo I.D. of Applicant: PAN/Aadhar/Voter I.D./Driving License/Passport.
  
8. Address/Location of premises/Land/Plot where tree felling is proposed
  - a) Survey No./Plot No./Door No.
  - b) Classification of the land
  - c) Village/Street
  - d) Mandal/Municipality/Municipal Corporation
  - e) District
  - f) Latitude and Longitude of premises
  - g) Boundary description:
 

North	
South	
East	
West	
  
9. Whether it is recorded as **Forest** (Adavi poramboke/ Mysore etc.) in any government record?
10. Category of Premises (Please tick the relevant):
  - (a) Industrial - New proposed or existing.
  - (b) Commercial
  - (c) Institutional
  - (d) Others - Specify
11. Area of the Premises



12.No. of trees and species proposed to be felled:

Tree Species	No. of Trees existing in the premises/plot	No. of Trees proposed for felling	Whether exempted from WALTA or not.
(1)	(2)	(3)	(4)

13.Age (approximate) of the tree proposed to be felled:

14.Reason for proposing to fell the tree/trees: Details of the Payment of fee for tree felling.

15.Whether enumeration list of trees to be felled in Annexure-II enclosed: YES/NO.

16.Whether surveyed sketch map of the land enclosed: YES/NO.

17.Whether location map of the land enclosed: YES/NO.

18.Whether **Certificate of Ownership over Forest Produce** issued by Tahsildar attached: YES/NO.

19.Whether tree felling permission fee paid: YES/NO.

20.Whether security deposit towards replanting paid: YES/NO.

#### CERTIFICATE

I hereby certify that the species and other details of trees as disclosed above are correct to the best of my knowledge and other information furnished above is true and correct.

I undertake that I shall replant immediately tree / trees in place of the trees felled as per T.S. WALTA Rules, failing which, plants will be raised by the Authority / Designated Officer at my cost.

Place:

Date:

Signature.

Name of the Applicant:

Sd/-P.K.Sharma  
Principal Chief Conservator of Forests  
(Head of Forest Force)

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*[Handwritten Signature]*  
Superintendent 25/10/2016.



### FORM-13A (under Rule 24 of WALTA)

#### APPLICATION FORM FOR FELLING EXEMPTED TREES

1. Name of the Applicant/Firm/Company
2. Father's Name:
3. Age in completed years:
4. Complete postal address of the Applicant:
  
5. Contact Number of Applicant:
  - a. Phone
  - b. Mobile
6. E-mail ID of the Applicant:
7. Photo I.D. of Applicant: PAN/Aadhar/Voter I.D./Driving License/Passport.
  
8. Address/Location of premises/Land/Plot where tree felling is proposed
  - h) Survey No./Plot No./Door No.
  - i) Classification of the land
  - j) Village/Street
  - k) Mandal/Municipality/Municipal Corporation
  - l) District
  - m) Latitude and Longitude of premises
  - n) Boundary description:

North	
South	
East	
West	

9. Category of Premises (Please tick the relevant):
  - (e) Industrial – New proposed or existing.
  - (f) Commercial
  - (g) Institutional
  - (h) Others - Specify
10. Area of the Premises
11. No. of trees and species proposed to be felled:

Tree Species	No. of Trees existing in the premises/plot	No. of Trees proposed for felling	Whether exempted from WALTA or not.
(1)	(2)	(3)	(4)



- 12. Age (approximate) of the tree proposed to be felled:
- 13. Reason for proposing to fell the tree/trees: Details of the Payment of fee for tree felling.
- 14. Whether enumeration list of trees to be felled in Annexure-II enclosed: YES/NO.
- 15. Whether surveyed sketch map of the land enclosed: YES/NO.
- 16. Whether location map of the land enclosed: YES/NO.
- 17. Whether security deposit towards replanting paid: YES/NO.

**CERTIFICATE**

I hereby certify that the species and other details of trees as disclosed above are correct to the best of my knowledge and other information furnished above is true and correct.

I further certify that trees proposed for felling only consists of Eucalyptus/Subabool/Casuarina for which prior permission is not required under the provisions of WALTA / Rules.

I undertake that I shall replant immediately tree / trees in place of the trees felled as per T.S. WALTA Rules, failing which, plants will be raised by the Authority / Designated Officer at my cost.

Place:

Date:

Signature,  
Name of the Applicant:

Sd/-P.K.Sharma  
Principal Chief Conservator of Forests  
(Head of Forest Force)

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*[Handwritten Signature]*  
Superintendent 25/2/16

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25/2/16



**ANNEXURE II**

**ENUMERATION LIST OF TREES TO BE FELLED**

Survey No./Plot No./Door No.:

Village/Street:

Mandal/Municipality/Municipal Corporation:

District:

Latitude and Longitude of premises:

Forest Range:

Forest Division:

Tree No.	Species	Estimated length of timber	Girth	Estimated volume of Timber	Estimated Firewood/Root Wood/Faggot	Pole
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Sd/-P.K.Sharma  
Principal Chief Conservator of Forests  
(Head of Forest Force)

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*[Handwritten Signature]*  
Superintendent  
25/2/16

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27/2/16



**ANNEXURE III**

**ACKNOWLEDGEMENT**

Received application for felling of tree growth from Sri  
\_\_\_\_\_ S/o \_\_\_\_\_ R/o \_\_\_\_\_  
\_\_\_\_\_ for felling of trees in the following land/premises.

Survey No./Plot No./Door No.  
Village/Street:  
Mandal/Municipality/Municipal Corporation:  
District:  
Latitude and Longitude of premises:  
Forest Range:  
Forest Division:  
Date of receipt of application:

Divisional Forest Officer  
----- Division.

Sd/-P.K.Sharma  
Principal Chief Conservator of Forests  
(Head of Forest Force)

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Superintendent 25/2/16

*[Handwritten Note]*  
25/2/16



## ANNEXURE IV

## CERTIFICATE OF OWNERSHIP OF TREE/FOREST PRODUCE

- 1) Name of the Applicant:
- 2) Name of the Landholder:
- 3) Particulars of the Land:
  - a) Sy. No. :
  - b) Extent :
  - c) Village :
  - d) Mandal :
  - e) District :
  - f) PPB No. / TD No. :
  - g) Khata No. :
- 4) Classification of the Land:  
(As per Sethwar / Khasrapahani)
- 5) Whether the land is falling  
Within the forest area:
- 6) Nature of acquisition:  
Lease / Allotment / Assignment / ORC Purchase
- 7) Location Sketch of the Land showing  
The planted area:
- 8) Whether the land is free from all encumbrance:
- 9) Details of Court / Title disputes, if any:
- 10) No. of trees existing on the land:
- 11) Proposed land recorded as "Forest" (Adavi poramboke / Mysora etc.) in  
the revenue record: YES/NO.

I have inspected the land and examined the records and the documents submitted by the applicant Sri \_\_\_\_\_  
S/o \_\_\_\_\_ R/o \_\_\_\_\_ The Landholder is  
entitled to the timber and other forest produce existing on the land mentioned above.

TAHSILDAR.

Sd/-P.K.Sharma  
Principal Chief Conservator of Forests  
(Head of Forest Force)

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*[Signature]*  
Superintendent 25/12/16





**ANNEXURE V**

**INSPECTION REPORT OF ENUMERATION LIST OF TREES TO BE FELLED**

Date of inspection/Test check -  
 Name and Designation of inspecting officer -  
 Survey No./Plot No./Door No. -  
 Village/Street -  
 Mandal/Municipality/Municipal Corporation -  
 District -  
 Latitude and Longitude of premises -  
 Forest Range -  
 Forest Division -  
 Name of nearest Reserve Forest -  
 Distance from nearest Reserve Forest -  
 Is the proposed land recorded as forest in revenue record or forest record - YES/NO.  
 Details of test checking carried out -

Species	Serial No. of Trees test checked	Remarks
(1)	(2)	(3)

Estimation of Timber/Firewood/Root Wood/Faggot:

Species	Number of Trees/Bamboo recommended for felling	Estimated volume of timber (Cum.)	Estimated volume of Firewood (Cum.)	Estimated volume of Root Wood / Faggot (Cum.)	Pole	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Date:

Forest Range Officer,  
 Name of Range

Sd/-P.K.Sharma  
 Principal Chief Conservator of Forests  
 (Head of Forest Force)

//t.c.b.o//

*[Handwritten Signature]*  
 Superintendent 25/2-116

*[Handwritten Stamp]*



**ANNEXURE VI**

**FORM-14 (Under Rule 24 of WALTA)**

**PERMISSION FOR FELLING TREE/TREES UNDER WALTA RULES**

Sri \_\_\_\_\_ S/o Sri \_\_\_\_\_, aged \_\_\_\_\_,  
 R/o \_\_\_\_\_, is permitted to cut  
 tree/trees as detailed below in the premises \_\_\_\_\_ subject  
 to following conditions namely:-

1. Premises of felling tree/trees is as mentioned above only.
2. No. of tree/trees permitted to be felled is \_\_\_\_\_ only.

Sl. No.	Species	No. of Trees permitted to be felled	Anticipated timber	Anticipated Firewood/poles/Faggot

3. \_\_\_\_\_ number of plants shall be planted within (30) days of the felling of the trees.
4. Felling shall not be carried out before inspection, banding with red paint by the concerned officials.
5. In case of failure to take-up plantation, plantation shall be raised at the cost of applicant.
6. The applicant shall not transport the timber/pole/firewood obtained from felled trees without prior permission from the concerned Divisional Forest Officer and without valid transit permit under Telangana Forest Produce Transit Rules, 1970.

Place:

Date:

Divisional Forest Officer/  
 Designated Officer  
 Water, Land and Tree Authority  
 (with seal)

Sd/-P.K.Sharma  
 Principal Chief Conservator of Forests  
 (Head of Forest Force)

//t.c.b.o//

*[Signature]*  
 Superintendent  
 25/2/16

*[Handwritten initials]*



**ANNEXURE VII**

**FORM-14**

**DEEMED PERMISSION FOR FELLING TREE/TREES UNDER WALTA RULES**

Sri \_\_\_\_\_ S/o Sri \_\_\_\_\_, aged \_\_\_\_\_,  
 R/o \_\_\_\_\_, is permitted to cut  
 tree/trees as detailed below in the premises \_\_\_\_\_ subject  
 to following conditions namely:-

1. Premises of felling tree/trees is as mentioned above only.
2. No. of tree/trees permitted to be felled is \_\_\_\_\_ only as furnished by the applicant in the TS-IPASS Common Application Form.

Sl. No.	Species	No. of Trees permitted to be felled	Anticipated timber	Anticipated Firewood/poles/Faggot

3. \_\_\_\_\_ number of plants shall be planted within (30) days of the felling of the trees.
4. In case of failure to take-up plantation, plantation shall be raised at the cost of applicant.
5. The applicant shall not transport the timber/pole/firewood obtained from felled trees without prior permission from the concerned Divisional Forest Officer and without valid transit permit under Telangana Forest Produce Transit Rules, 1970.

Place:

Divisional Forest Officer/

Date:

Designated Officer

Water, Land and Tree Authority

(with seal)

Sd/-P.K.Sharma  
 Principal Chief Conservator of Forests  
 (Head of Forest Force)

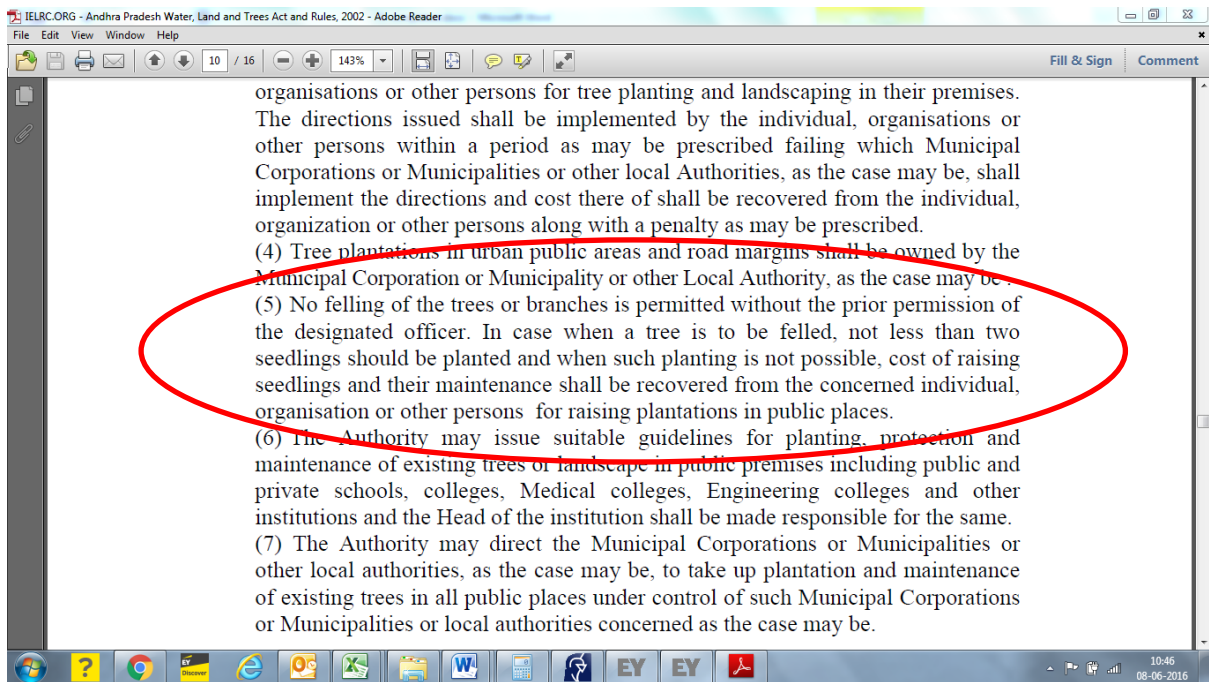
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*[Handwritten Signature]*  
 Superintendent 28/2/16

*[Handwritten Stamp]*



## Snapshot of Relevant Clause from Walta Act





## Complete Walta Act

### **Andhra Pradesh – An Act to Promote Water Conservation, and Tree Cover and Regulate the Exploitation and Use of Ground and Surface Water for Protection and Conservation of Water Sources, Land and Environment and Matters, Connected Therewith or Incidental Thereto**

Act No. 10 of 2002

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty third year of the Republic of India, as follows: -

#### **CHAPTER – 1 PRELIMINARY**

Short title,  
extent and  
commence-  
ment

1. (1) This Act may be called the Andhra Pradesh Water, Land and Trees Act, 2002.  
(2) It extends to the whole of the State of Andhra Pradesh.  
(3) It shall come into force on such date as the State Government may, by notification appoint.
2. In this Act, unless the context other wise requires: -
  - (1) 'Authority' means the Andhra Pradesh State Water, Land and Trees Authority constituted under section 3;
  - (2) 'Designated Officer' means an officer or any person so designated by the Authority to perform the functions, under the Act;
  - (3) 'Government' means the State Government of Andhra Pradesh;
  - (4) 'Ground water' means water existing in an aquifer below the surface of the ground at any particular location of the local area regardless of the geological structure in which it is stationery or moving and includes all ground water reservoirs;
  - (5) 'Ground water basin' means an area confined within such geological boundaries which will act as water divides and identified and notified by the Authority;
  - (6) 'Industry' means an activity wherein goods are produced by physical or chemical processes;
  - (7) 'Landscape' includes all forms of trees, shrubs, grasses planted and water bodies to enhance aesthetic value;
  - (8) 'Notification' means a notification published in the Andhra Pradesh Gazette and the word 'notified' shall be construed accordingly;
  - (9) 'Over exploited basin' means a ground water basin so declared by the Authority on the advise of the technical expert who duly consider the quantum and pattern of rainfall, degree of extraction of ground water and any other relevant factor while advising the Authority;
  - (10) 'Prescribed' means prescribed by rules made under this Act;
  - (11) 'Preservation of trees' includes planting of new trees and transplanting trees to other sites, including protection measures such as fence, tree guards etc;
  - (12) 'Public drinking water source' means a well, from which the Government or any local authority or such other authority as the Government may by notification specify, provides water to the public and includes such well or any other drinking water source as may be notified by the Authority;
  - (13) 'Public water supply system' means the structures relating to a public drinking water source, including conveying pipeline, storage reservoir, stand post,



- cistern, hand pump, power pump and all other materials connected thereto through which water is supplied for drinking purpose;
- (14) 'Sink' with all its grammatical variations and cognate expressions in relation to a well includes any drilling, boring or digging of a new well or deepening carried out to an existing well;
- (15) 'State' means the State of Andhra Pradesh;
- (16) 'Surface water' means water occurring on the land surface in ponds, lakes, streams and rivers;
- (17) 'Technical Officer' means a subject specialist so designated by the Authority to give advice on technical matters;
- (18) 'To fell a tree' includes burning, cutting, debarking, girdling and release of harmful chemicals and such other operations which cause damage to any part of the tree;
- (19) 'Tree' means any woody plant, whose branches spring from and are supported upon a trunk or body and whose trunk or body is not less than 5.5 cm. in diameter and is not less than one metre in height from the ground level; and includes young saplings and seedlings etc., which are planted at sites;
- (20) 'Urban Area' means a development area declared as such under the Andhra Pradesh Urban Areas (Development) Act, 1975 or a Municipal Corporation constituted under the Andhra Pradesh Municipal Corporations Act, 1994 or the Hyderabad Municipal Corporations Act, 1955 or a Municipality or a notified area committee constituted under the Andhra Pradesh Municipalities Act, 1965 and includes such town or village or area declared to be an Urban area for the purpose of this Act, by a notification, by the Government;
- (21) 'Water shed' means an area confined within the topographic water divide line as identified and notified by the authority **\*\* \*\*** from time to time for the purposes of this Act.
- (22) 'Well' means a well sunk for the search and extraction of ground water and includes a dug well, bore well, dug-cum-bore well, tube well, and filter point;
- (23) Words and expressions used in this Act, but not defined herein shall have the meanings assigned to them in the relevant Acts.

**CHAPTER - 2**  
**CONSTITUTION OF ANDHRA PRADESH WATER,  
LAND AND TREES AUTHORITY**

3. (1) As soon as may be after this Act is brought into force the Government shall, by notification with effect from such date as may be specified therein constitute an authority called the Andhra Pradesh State Water, Land and Trees Authority.

*Constitution of  
Water, Land  
And Trees  
Authority*

(2) The Authority shall consist of, -

- |   |                           |
|---|---------------------------|
| (a) <u>Minister, Panchayat Raj , Rural Development and Rural Water Supply or any other Minister, nominated by the Chief Minister.</u>                       | Ex-Officio<br>Chairperson |
| (b) <u>Three Members of the State Legislative Assembly, nominated by the Government out of which one shall be from the main opposition political party.</u> | Ex-Officio<br>Members     |
| (c) <u>Chief Secretary to the Government.</u>   | <u>Vice Chairperson</u>   |



- |   |                             |
|---|-----------------------------|
| (d) Secretary to the Government in charge of Agriculture.   | Ex-Officio Member           |
| (e) Secretary to the Government in charge of Irrigation and Command area Development.   | Ex-Officio Member           |
| (f) Secretary to the Government in charge of Municipal Administration.  | Ex-Officio Member           |
| (g) Secretary to the Government in charge of Rural Water Supply.  | Ex-Officio Member           |
| (h) Secretary to the Government in charge of <u>Panchayat Raj</u>   | Ex-Officio Member           |
| (i) Secretary to Government incharge of Environment, Forests, Science and Technology Department.  | Ex-Officio Member           |
| (i) Vice Chancellor, Acharya N.G.Ranga Agricultural University.   | Ex-Officio Member           |
| (j) Three Professors of whom one each from the faculties of Life Sciences, <u>Earth sciences</u> and Engineering and Technology from the Universities in the State nominated by the Government for a two year term by rotation.                                     | Members                     |
| (k) Three experts in the field of water and soil conservation and economics nominated by the Government.  | Members                     |
| (l) Such other non-official persons not exceeding five in number who, in the opinion of the Government are interested in the conservation of natural resources of whom one each shall be from the Scheduled Tribes, <u>Scheduled Castes</u> and Woman respectively. | Members                     |
| (m) Secretary to Government incharge of Rural Development   | Ex-Officio Member-Secretary |

(3) The term of office of the nominated members except those nominated under clause (k) of sub-section (2) shall be such as may be prescribed.

(4) The members shall be entitled to such allowances as may be prescribed for attending the meetings of the authority or performing duties entrusted by the authority.

(5) The Government, may in consultation with the State Authority, constitute by notification, authorities at District and Mandal levels with such composition and to perform such functions in such manner as may be prescribed.

(6) The Authority constituted under sub- section (1) shall be a body corporate having perpetual succession and a common seal, with power to contract, acquire, hold and dispose of property, both movable and immovable and to do all things necessary for the purposes of this Act and may sue and be sued by the said name.

Meetings  
of the  
Authority

4. (1) The Authority shall meet at least once in three months at such place and time as the Chairman may decide.



(2) The quorum to constitute a meeting of the authority shall be one third of the total number of members.

(3) Save as otherwise expressly provided by or under this Act, the procedure for the conduct of business at the meetings of the authority shall be such as may be prescribed.

Officers  
and  
servants

5. (1) The authority may designate such persons as designated officers for the purposes of this Act in such manner and for such areas as may be prescribed.

(2) The authority may, from time to time, appoint such other officers and servants subordinate to the designated officer, as may be required by way of deputation from Government departments, or from Universities or on contract basis.

(3) The authority may also appoint such other officers to assist the State Authority in such manner and for such purposes as may be prescribed.

(4) The conditions of appointment, service, and the powers and duties of such officers shall be such as may be determined by the Authority.

Functions  
of the  
Authority

6. Subject to any special or general directions by the Government in this behalf, the authority shall perform the following functions, namely:-

- (a) promote water conservation and enhancement of tree cover in the State;
- (b) regulate the exploitation of ground and surface water in the State;
- (c) make regulations for the functioning of the authorities at District and Mandal level constituted under the Act;
- (d) advise the Government on the legislative and administrative measures to be taken from time to time for the conservation of \*\* \*\* natural resources;
- (e) advise on economic measures to be taken by the Government as incentives or disincentives relating to taxes, levies, fees or other charges to promote conservation of \*\* \*\* natural resources;
- (f) advise on strengthening public participation in conservation of natural resources from time to time in such a way that equity in access to water in different basins, sub-basins and regions in the State is maintained;
- (g) advise on any other matter that may be referred to it by the Government; and
- (h) advise the Government on the constitution and functions of the District level and Mandal level Authorities.

Delegation  
of powers

7. The Authority may delegate any of their powers to the District level and Mandal level authorities or any Department or Officer of the Government or Local Bodies for the purpose of carrying out the provisions of this Act.

### CHAPTER – 3

#### GROUND WATER PROTECTION MEASURES

Registration  
of wells

8. (1) All ground water resources in the State shall be regulated by the Authority, subject to any general or special directions issued in this behalf by the Government.

(2) On and from the date of commencement of this Act, the owners of all the wells including those which are not fitted with power driven pumps and water bodies in the State, shall register their wells/water bodies with the Authority in such manner as may be prescribed.





Prohibition of water pumping in certain areas

9. (1) The Designated Officer, with the approval of the Authority, may prohibit water pumping by individuals, groups of individuals or private organizations in any particular area, if in his view such water pumping in such area is likely to cause damage to the level of ground water or cause deterioration or damage to natural resources or environment for a period of not more than six months which after review may be extended for a further period of not more than six months at a time.

Provided that no well shall be sunk in such areas as may be prescribed.

(2) The Authority may issue directions to APTRANSCO not to raise and collect electricity bills during stoppage of pumping of water in pursuance of order issued under sub-section(1) thereof.

10. (1) Notwithstanding anything contained in any law for the time being in force and having regard to the interests of the general public to have the supply of requisite quantity of water for drinking purposes from the public drinking water source, no person subject to sub-section (2) shall sink any well in the vicinity of a public drinking water source within a distance **\*\* \*\* of two hundred and fifty meters in areas other than the areas covered under section 9 and sub-section (1) of section 11 thereof.**

Provided that sinking of any well for public drinking purpose and hand pump for public or private drinking water purpose shall be exempted under this section.

(2) Any person, who intends to sink a well for purpose of irrigation or drinking or for any other purpose within a distance **\*\* \*\* as specified under sub-section (1)** of a public drinking water source, shall apply for permission to the Authority in such manner and on payment of such fee as may be prescribed:

Provided that in respect of sinking a well for the purpose of irrigation or drinking or for any other purpose and if such source is intended to be used with a power driven pump the person shall also obtain prior permission of the A.P.TRANSCO constituted under section 13 of the Andhra Pradesh Electricity Reform Act, 1998 in such manner as may be prescribed.

(3) The Authority within forty five days of receipt of an application under sub-section (2), may, on the advice of the Technical Officer, for reasons to be recorded in writing, grant permission for the sinking of a well for irrigation or drinking water purpose, if it is satisfied that such sinking shall not adversely affect the public drinking water source or refuse to grant permission if such sinking affects such source adversely.

(4) Every permission granted under sub-section (3) shall be subject to the condition that the authority may for the reasons to be recorded in writing, by order, prohibit, restrict or regulate from time to time the extraction of water from such well if in its opinion it is necessary so to do in the public interest and also such other conditions and restrictions as may be prescribed.

Over Exploited areas

11. (1) The Authority may on the advise of the technical expert, declare a particular ground water basin as over exploited for a period of not more than six months which, after review, may be extended for a further period of not more than six months at a time .

(2) For the purpose of sub-section (1), the technical officer shall take into consideration the quantum and pattern of rainfall, degree of extraction of ground water and any other relevant factor while advising the Authority.

Permission for well sinking near drinking water source

A.P. Act 30 of 1998



(3) On and from the date of such declaration under sub-section.(1), no well shall be sunk in such areas except wells sunk for public drinking purposes or hand pump for public or private drinking water purpose.

(4) The authority may issue guidelines for improving the ground water by suitable measures in such over exploited ground water basins as declared under sub-section (1) and such guidelines shall be followed by each individual or group of individuals or institution or organization or Government department or local body concerned as the case may be.

(5) The Authority may review from time to time the ground water and results achieved after taking the measures under sub-section(4) and it may revoke the declaration of over exploited basins as made under sub section. (1) and permit sinking of wells duly specifying the number of wells to be sunk, depth of the well, distance between two adjoining wells and other conditions as deemed fit after satisfying itself that such sinking shall not adversely affect the public drinking water source..

12. (1) Notwithstanding anything contained in any law for the time being in force the Authority may, on the advice of the Technical Officer, that any existing well is found to be adversely affecting any public drinking water source, after giving the owner a reasonable opportunity of being heard by an order, prohibit the extraction of water for commercial, industrial, irrigation or any other purposes from such well for a period of not more than six months which after review may be extended for a further period of not more than six months at a time.

Provided that irrigation well with standing crop shall be taken as last priority for such purpose.

(2) Notwithstanding anything contained in any law for the time being in force and in any other provisions of this Act, the Authority, on the advice of the Technical Officer that any existing well is found to be adversely affecting any public drinking water source and if such source cannot be adequately protected by action under sub-section (1) may after giving the owner of such well a reasonable opportunity of being heard, by an order require him to stop the extraction of water and close or seal off such well forthwith either temporarily or permanently.

(3) Whenever it is necessary to make an inquiry or examination in connection with the protection of a public drinking water source or with the maintenance of a public water supply system, the Authority or any officer duly authorised by it in this behalf may after giving prior notice to the owner or occupier of any land:-

- a) enter upon such land as he may think necessary for the said purpose;
- b) undertake surveys or take water levels;
- c) conduct pumping tests and geophysical surveys;
- d) conduct well logging on the bore;
- e) install and maintain water levels recorded and water gauges on the well; and
- f) do all such other things as may be necessary for pursuing such inquiry and examination;

(4) Notwithstanding anything contained in sub-sections (1), (2) and (3), the Authority may on the advice of the Technical Officer in any urban area, issue an order:-

- a) Prohibiting extraction of water for sale from an over exploited water source or aquifer or residential areas or in the recharge zones of residential areas depleting the public or private water sources and affecting the supply of water for domestic usage;

Protection of  
public  
drinking  
water sources



b) Prohibiting the drawl of the ground water within the premises of multi-storied buildings for sale of water outside the premises of such multi-storied building.

(5) The Authority may, on the consideration of the availability of drinking water, command any existing well in order to ensure supply of drinking water to the local population. For this purpose the Authority may take over the well for such period as deemed necessary subject to such conditions as the Authority may prescribe.

(6) The Authority may issue directions to the concerned including local bodies for preventing wastage of water from the public water supply system or public drinking water source.

(7) The Authority may issue directions by general or specific order to APTRANSCO not to raise and collect electricity bills during stoppage of pumping of water in pursuance of order issued under this section.

13. In order to curb unhealthy competition to tap water from deeper layers of ground water and to maintain ground water, the Authority may issue directions specifying the distance for sinking of wells from the existing well and depth for such sinking and such other conditions in areas other than overexploited ground water basins as declared under sub-section (1) of section 11, areas declared under section 9 and near drinking water sources as specified under sub-section (1) of section 10.

Distance and depth for sinking of wells

14. (1) Every rig owner shall register his machinery with the Authority in such manner and on payment of such fee as may be prescribed.

(2) Every rig owner or operator shall follow the instructions issued by the Authority from time to time.

Registration of drilling rigs.

15. (1) Wherever it appears to the Authority that any well has been sunk or is being sunk or water has been extracted or is being extracted in contravention of any of the provisions of this Act, the Authority or any officer duly authorised by it in this behalf, may enter upon that land, remove obstruction, if any, close the pumping of the water, disconnect the power supply, seize any material or equipment used in connection with such extraction of water and take any such action, as may be required to stop such extraction and may by order require the owner or the person in possession of the well to close or seal off the well at his expense and in such manner as the Authority may specify in such order and such owner or person shall comply with such order.

Closure of wells

(2) Where such owner or person fails to comply with any order made under sub-section (1), the Authority may after giving such owner or person due notice in that behalf enter upon the land and close or seal off the well and the cost incurred thereof shall be recoverable from such owner or person as arrears of land revenue.

16. Where an order of permanently closing down or sealing off the well, which is giving substantial yield and which is really useful for irrigating any land or for an industrial use, is made under sub-section (1) or sub-section (2) or sub-section(5) of section 12, the Authority may on making such enquiry and requiring the owner to produce such evidence as he may deem necessary, make an order for payment of compensation which shall not be less than the market value of the well including the other expenditure incurred like energisation thereon and structure thereon and standing crop at the time of making such an order and with regard to

Compensation for closed wells



the determination of compensation for the well situated in a land acquired shall apply the provisions of the Land Acquisition Act, 1894 in determining the market value of the well under this section:

Central Act 1 of 1894

Provided that, where an order under sub-section (1) or sub-section(2) or sub-section (5) of section 12, relates to temporarily closing down or sealing off a well, water from which is used for the irrigated crops, standing at the time of making such an order, compensation for such crops shall be payable under this section:

Provided further that where by virtue of an order made under sub-section (1) or sub-section (2) or sub-section (5) of section 12, any well which is permanently closed or sealed off for any reason whatsoever, allowed to be opened for extracting water therefrom and any subsequent order made for permanently closing down or sealing off such well again shall not entitle the owner thereof, to claim compensation to such well.

Provided also that compensation shall not be paid in such cases of temporary or permanent closure of wells in pursuance of order passed under section 15.

17. (1) To improve the ground water resources, by harvesting and recharge , \*\* \*\* the Authority may issue guidelines for constructing appropriate rainwater-harvesting structures in all residential, commercial and other premises and open spaces having an area of not less than 200 square meters in the manner prescribed within stipulated period failing which the authority may get such rain water harvesting structure constructed and recover the cost incurred along with a penalty as may be prescribed.

Rain water harvesting structures

(2) Notwithstanding anything contained in the relevant laws the Municipal Corporation or Municipality or any other local Authority as the case may be, shall impose a condition for providing appropriate rain water harvesting structure and or roof top harvesting structures in the building plans in an area of not less than two hundred square meters, while according approval for construction and permanent water and electricity connection shall be extended only after compliance of the directions given in this regard.

(3) The Authority may issue guidelines to Municipal Corporations or Municipalities or any other local authorities in the state for providing incentives for constructing roof top harvesting structure

Re-use of water

18. The Authority may formulate guidelines including suitable incentives for recycling and reuse of waste water by industrial, commercial users and local bodies and in the event of non-feasibility in the opinion of the Authority to install suitable recycling and reuse system , the Authority may levy appropriate charges. Provided that the Technical Officer may suggest appropriate measures for this purpose, which shall be adopted by the industry, commercial unit and local bodies concerned

Prohibition of water contamination

19. (1) No ground water resources shall be contaminated in any manner by anybody including industrial, local bodies and aquaculture waste disposal.

(2) Direct disposal of waste waters into the aquifers, is prohibited.



#### CHAPTER – 4 SURFACE WATER PROTECTION MEASURES

Land use and water quality	<p>20. The Authority or any designated officer may direct the occupier of any land that land use shall be modified if the quality of the water coming from the land is not of acceptable quality compared to the prescribed standards</p>	
	<p>21. (1) To ensure that land and water use in the watersheds shall be conducive for efficient utilization of these resources as well as ground water recharge, the watershed committees shall adopt the measures as suggested by the <u>officer concerned</u> and <u>**</u> the members of watershed committees shall be trained by the <u>officer concerned</u> and the members so trained shall in turn train the other farmers prior to signing of the Memorandum of Understanding.</p> <p>(2) The <u>officer concerned</u> shall have the power to determine and recover investments made hereafter by way of fresh sanctions by the Government in the watersheds and in case of non-compliance with the provisions of the Memorandum of Understanding the amount due shall be recovered as if it were arrears of land revenue <u>from the party found responsible</u></p>	Water use in water- sheds
	<p>22. In Irrigation command areas, Water Users Associations shall ensure optimum use of surface and ground water and for this purpose the water users Associations shall adopt the measures suggested by the designated officer.</p>	Optimum use of surface and ground water
	<p>23. (1) The authority may notify water bodies like lakes, village ponds and minor irrigation tanks along with nalas (water course or drainage course) as heritage bodies and conservation areas to prevent conversion of their intended use and the authority shall take all measures to permanently demarcate the boundaries through the department of the Government or the organization concerned as per the memoirs of lakes / tanks / ponds / nalas (water course or drainage course) and shall take measures to evict and prevent encroachment. For this purpose, the Authority may give directions to the concerned department, agency, statutory body or official and upon such direction, the concerned department, agency, statutory body or official shall comply with such directions. The authority may also issue guidelines in this regard and the guidelines shall be complied with by all the concerned</p> <p>(2) The designated officer shall have the power to prevent and remove encroachments into the demarcated area of the water body.</p> <p>(3) No undesirable wastes including liquid wastes shall be allowed to be dumped in the water bodies by any person or organisation.</p> <p>(4) The Authority shall in consultation with technical experts decide the permissible levels of pollutants which can be allowed into the water bodies.</p> <p>(5) The designated officer shall have the authority to take required steps to prevent and control polluted water entering the water bodies.</p>	Protection of lakes, ponds and tanks
Ceiling on water usage	<p>24. (1) The designated officer may prescribe ceiling on water usage per unit of production by any industry or commercial unit.</p> <p>(2) The Authority may levy cess or surcharge on the water used for production activities.</p>	



## CHAPTER – 4 SURFACE WATER PROTECTION MEASURES

Land use and water quality	<p>20. The Authority or any designated officer may direct the occupier of any land that land use shall be modified if the quality of the water coming from the land is not of acceptable quality compared to the prescribed standards</p> <p>21. (1) To ensure that land and water use in the watersheds shall be conducive for efficient utilization of these resources as well as ground water recharge, the watershed committees shall adopt the measures as suggested by the <u>officer concerned</u> and <b>**</b> the members of watershed committees shall be trained by the <u>officer concerned</u> and the members so trained shall in turn train the other farmers prior to signing of the Memorandum of Understanding.</p> <p>(2) The <u>officer concerned</u> shall have the power to determine and recover investments made hereafter by way of fresh sanctions by the Government in the watersheds and in case of non-compliance with the provisions of the Memorandum of Understanding the amount due shall be recovered as if it were arrears of land revenue <u>from the party found responsible</u></p>	Water use in water- sheds
	<p>22. In Irrigation command areas, Water Users Associations shall ensure optimum use of surface and ground water and for this purpose the water users Associations shall adopt the measures suggested by the designated officer.</p>	Optimum use of surface and ground water
	<p>23. (1) The authority may notify water bodies like lakes, village ponds and minor irrigation tanks along with nalas (water course or drainage course) as heritage bodies and conservation areas to prevent conversion of their intended use and the authority shall take all measures to permanently demarcate the boundaries through the department of the Government or the organization concerned as per the memoirs of lakes / tanks / ponds / nalas (water course or drainage course) and shall take measures to evict and prevent encroachment. For this purpose, the Authority may give directions to the concerned department, agency, statutory body or official and upon such direction, the concerned department, agency, statutory body or official shall comply with such directions. The authority may also issue guidelines in this regard and the guidelines shall be complied with by all the concerned</p> <p>(2) The designated officer shall have the power to prevent and remove encroachments into the demarcated area of the water body.</p> <p>(3) No undesirable wastes including liquid wastes shall be allowed to be dumped in the water bodies by any person or organisation.</p> <p>(4) The Authority shall in consultation with technical experts decide the permissible levels of pollutants which can be allowed into the water bodies.</p> <p>(5) The designated officer shall have the authority to take required steps to prevent and control polluted water entering the water bodies.</p>	Protection of lakes, ponds and tanks
Ceiling on water usage	<p>24. (1) The designated officer may prescribe ceiling on water usage per unit of production <u>by any industry or commercial unit.</u></p> <p>(2) The Authority may levy cess or surcharge on the water used for production activities.</p>	



Power to designate	25. The Authority shall have power to designate an officer to be incharge of the water bodies in the State, Municipal Corporations, Municipalities, urban areas or <u>Gram Panchayats</u> to ensure proper protection and conservation of the water bodies.
Protection from breaches	26. The Authority may direct the water users associations to prevent and restore breaches to irrigation sources within a specified time and take up such measures through the officer <u>concerned</u> ** **.
Sand mining	27. The Authority may frame guidelines for sand mining from water bodies wherever such sand mining is environmentally harmful both in private and Government lands. Provided that sand mining shall not be permitted in over exploited basins as declared by the Authority under sub-section (1) of section.11 of the Act.

#### CHAPTER-5 TREES

Tree plantation in urban areas	<p>28.(1) The Authority may direct that every Municipal Corporation or Municipality or any other Local Authority, as the case may be to insist for compulsory plantation with such number of trees and their maintenance as may be prescribed while according approval of building plans.</p> <p>(2) The Authority may also direct the Municipal corporation or Municipality or the other Local Authorities, as the case may be, to designate an officer to be incharge of tree plantations in their respective areas.</p> <p>(3) Tree plantation and landscaping shall be adopted in all public and private premises for which purpose Municipal Corporations or Municipalities or other local Authorities, as the case may be may issue directions to individuals, organisations or other persons for tree planting and landscaping in their premises. The directions issued shall be implemented by the individual, organisations or other persons within a period as may be prescribed failing which Municipal Corporations or Municipalities or other local Authorities, as the case may be, shall implement the directions and cost there of shall be recovered from the individual, organization or other persons along with a penalty as may be prescribed.</p> <p>(4) Tree plantations in urban public areas and road margins shall be owned by the Municipal Corporation or Municipality or other Local Authority, as the case may be .</p> <p>(5) No felling of the trees or branches is permitted without the prior permission of the designated officer. In case when a tree is to be felled, not less than two seedlings should be planted and when such planting is not possible, cost of raising seedlings and their maintenance shall be recovered from the concerned individual, organisation or other persons for raising plantations in public places.</p> <p>(6) The Authority may issue suitable guidelines for planting, protection and maintenance of existing trees or landscape in public premises including public and private schools, colleges, Medical colleges, Engineering colleges and other institutions and the Head of the institution shall be made responsible for the same.</p> <p>(7) The Authority may direct the Municipal Corporations or Municipalities or other local authorities, as the case may be, to take up plantation and maintenance of existing trees in all public places under control of such Municipal Corporations or Municipalities or local authorities concerned as the case may be.</p>
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29. (1) Any person, institution, organization or department, public or private, providing a public or private utility service including Roads and Buildings department, Energy department of the Government and Telecommunications Department shall ensure protection of trees and their branches while developing their infrastructure or carrying on their activities.

Protection of trees

(2) Wherever laying of new roads or widening of roads involves cutting of existing tree, the Authority may issue suitable guidelines for protection of such tree growth as it deems fit.

30. (1) The authority may formulate guidelines for tree plantations along with the road margins, canal banks, tank-fore shores and water bodies.

Tree plantations by Government departments etc.

Provided that the cost of plantation and further maintenance shall be included in the cost of formation of the roads, canals and tanks and suitable amount may be earmarked for plantation and protection of trees within any of the existing provisions for supervision or miscellaneous or unforeseen expenditure under all works estimates as prescribed.

(2) The Authority may direct the Local Authorities to ensure tree plantation in the fore shore areas of the open water bodies.

(3) All agricultural land owners except small and marginal farmers and wetland owners as determined by the Government shall plant trees in their land holding as prescribed by the Authority upto 5% of their total land holding and felling permission for trees shall be given only when the land owner plants trees in equal extent of land:

Provided that the area covered by the existing tree growth including fruit bearing horticultural crops shall be included while calculating the area under tree growth.

Provided further that suitable incentives, as may be prescribed, shall be given to the landowner who plants tree species in his total land holding.

(4) The government may constitute a committee for protection and maintenance of the plantations raised in the lands raised outside the forest and the said committee shall function as may be prescribed.

Sheep and goat farming

31. It shall be competent for the Authority to protect tree plantation by encouraging stall fed goat rearing and by rehabilitating the goat rearers in a phased manner.

Tree protection in fringe areas

32. It shall be competent for the Authority to encourage all families especially living in the fringes of forest areas to acquire non-conventional energy devices in order to protect the trees.

### CHAPTER-6 MISCELLANEOUS

Appeals

33. (1) Any person, aggrieved by any order made under any of the provisions of this Act may, within a period of 30 days from the date of receipt of the order by him, appeal to the Authority, if the order is made by any other officer.

(2) On receipt of such appeal, the Authority shall after giving a reasonable opportunity to the appellant of being heard, pass such order as it may think fit.

*Explanation:* For the purpose of this section, the expression 'person aggrieved' includes a Local Authority, the Panchayat Raj or Municipal Administrative Engineering Department, State Ground Water Department and any other agency





or authority entrusted with the responsibility of supplying drinking water or protection of trees.

(3) Before passing an order in such appeal, the Authority shall obtain the opinion of the technical experts appointed by the Authority and shall take the same also into consideration.

(4) The technical expert shall forward his opinion within ten days from the date of receipt of a reference in that behalf by him and in the event of failure to furnish such opinion by the technical officer within ten days, the Authority or Designated officer may call the technical expert with the relevant records and pass appropriate orders as it deems fit.

(5) Save as otherwise provided in sub-section (1), every order made by the Authority in appeal or otherwise may be reviewed by the Government and the Government may advise the Authority to reconsider the order and upon such advise, the Authority may pass orders after reconsideration and such orders passed shall be final and binding and shall not be reviewed.

34. (1) No suit, prosecution or other legal proceedings shall lie against any public servant or person appointed or authorised under this Act, in respect of anything which is in good faith done or intended to be done under this Act or in pursuance of any order made or directions issued under this Act.

Protection of  
action taken in  
good faith

(2) No suit, prosecution or other legal proceedings shall lie against the Government or any officer of the Government for any damage caused or likely to be caused by any thing which is in good faith done or intended to be done under this Act or in pursuance of any order made or directions issued under this Act.

(3) Any action or act done by any public servant in the absence of good faith as determined by the Authority shall not be covered under the protection given under sub-sections (1) and section(2) and such public servant shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

35. (1) Whoever contravenes any of the provisions of this Act or obstructs any person in the discharge of his duties under this Act or contravenes any order or violates any rule made under this Act shall be punished with fine which shall not be less than one thousand rupees but which may extend to five thousand rupees

Penalties

Provided that the person responsible for abetment of such offence or connivance shall also be liable and punished accordingly.

(2) Whoever without any lawful authority damages, alters, pollutes or obstructs any part of a public water supply system or a water body, encroaches water bodies including tanks, lakes, ponds, nalas, (water course or drainage course), contaminates ground water in any manner by industrial and aquaculture waste disposal or directly disposes waste water into the aquifers shall be punishable with imprisonment for a term which shall not be less than one month but which may extend to six months or with fine which shall not be less than two thousand rupees but which may extend to fifty thousand rupees or with both in addition to that the cost of its repairs or remedying the same shall be recovered as an arrears of Land Revenue.

Provided that the Person responsible for abetment of such offence or connivance shall also be liable and punished accordingly.



(3) Whoever without any lawful Authority fells a tree shall be punishable with a fine which shall not be less than two times of the value of such tree but which may extend to five times of value of such tree.

Provided that the person responsible for the abetment of such offence or connivance shall also be liable and punished accordingly.

(4) In the case of a second or subsequent offence, the offender shall be punished with twice the amount of fine prescribed for such offence under sub-section (1) or sub-section (2) or sub-section (3), as the case may be.

Provided that the Person responsible for the abetment of such offence or connivance shall also be liable and punished accordingly.

Service of notices

36. (1) Subject to the rules, if any, made in this behalf, every notice or order issued under this Act, may be served either by tendering or delivering a copy thereof in person or by post to the person on whom it is to be served, or his authorised agent or if the service in the manner aforesaid cannot be made, by affixing a copy thereof at his last known place of residence or at such place of public resort in the habitation in which the structure, public drinking water source or well or water body or the tree to which the notice or order relates is situated.

(2) No such notice shall be deemed void on account of any error in the name or designation of any person or in the description of any structure, public drinking water source or well or water body or the tree referred to therein unless such error has resulted in substantial injustice.

Compounding of offences

37. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the Authority or the designated Officer or any officer authorized by the Government in this regard, as the case may be, may accept from any person who committed or who is reasonably suspected of having committed an offence punishable under this Act other than the offences punishable under sub-section (2) of section-35 of this Act,

Central Act 2 of 1974

- (i) A sum of money as may be prescribed, by way of compounding of the offence.
- (ii) The Authority or designated officer or any other officer authorized by the Government in this regard, as the case may be, may reject to compound the offence for the reasons recorded in writing.
- (iii) The Authority or Designated Officer or any officer authorized by the Government in this regard, as the case may be, shall pass order to compound the offence or otherwise within a period as may be prescribed.

(2) On payment of the sum of money in accordance with sub-section (1), any person in custody in connection with the offence shall be set at liberty and no proceedings shall be instituted or continued against such person in any criminal court.

(3) The acceptance of the sum of money for compounding an offence in accordance with sub-section (1) by the authority or the designated officer shall be deemed to amount to an acquittal within the meaning of section 300 of the Code of Criminal Procedure, 1973.

38. (1) Where there is reason to believe that an offence has been committed in contravention of the provisions of this Act, any instrument, machinery or any other device, vehicles or other conveyance or any other moveable property used or

Seizure of property liable of confiscation

involved in committing any such offence may be seized by an officer as authorised by the Government in this behalf and without any unreasonable delay either produce the property seized before the designated officer or any other officer authorised by the Government in this behalf by notification (hereinafter referred to as the authorised officer) or make a report of such seizure and produce the seizures before the Magistrate having jurisdiction to try the offence on account of which the seizure has been made except where the offender agrees in writing forthwith to get the offence compounded under section.37 of the Act . Where the property seized is such that it can not be conveniently transported to the court or authorised officer as the case may be, give custody thereof to any person on his executing a bond undertaking to produce the property before the Court or authorised officer as and when required and to give effect to the further orders of the Court or authorised officer, as the case may be, as to the disposal of the same.

Provided that where the property with respect to which such offence is believed to have been committed is the property of the central or state Government or local bodies and the offender is not known, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to the designated officer or any other officer as notified by the Government.

(2) Where an authorised officer seizes under sub-section(1) any instrument, machinery or any other devices, vehicles or other conveyance or any other moveable property or where any instrument, machinery or any other devices, vehicles or other conveyance or any other moveable property is produced before him under sub-section (1) and he is satisfied that an offence has been committed under this Act, in respect thereof, he may order confiscation of any instrument, machinery or any other devices, vehicles or other conveyance or any other moveable property so seized or produced

(3) No order of confiscating any property shall be made under sub-section.(2), unless the person from whom the property is seized is given:-

- (a) a notice in writing informing him of the grounds on which it is proposed to confiscate such property;
- (b) an opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the grounds for confiscation; and
- (c) a reasonable opportunity of being heard in the matter.

(4) Without prejudice to the provisions of sub-section (3), no order of confiscation under sub-section(2) of any instrument, machinery or any other devices, vehicles or other conveyance or any other moveable property shall be made if the owner thereof proves to the satisfaction of the authorised officer that it was used without his knowledge or connivance or the knowledge or connivance of his agent, if any, or the person incharge of such instrument, machinery or any other devices, vehicles or other conveyance or any other moveable property in committing the offence and that each of them had taken all reasonable and necessary precautions against such use.

(5) Any person aggrieved by an order passed under sub-section (2) may within thirty days from the date of communication to him of such order, appeal to the District Court having jurisdiction over the area in which the property has been seized, and the District Court shall after giving an opportunity to the parties to be heard, pass such order as it may think fit and the order of the District Court so passed shall be final.



(6) Where the offence is compounded under section 37, the property seized shall be released to the person entitled to the possession thereof.

(7) Where the offender is convicted, the property seized shall be ordered to be confiscated except where the owner thereof proves to the satisfaction of the court that it was used without his knowledge or connivance or the knowledge or connivance of his Agent, if any, or the person in charge of the property in committing the offence and that each of them had taken all reasonable and necessary precautions against such use.

(8) Except in so far as expressly provided in this section, the provisions of the Code of Criminal Procedure, 1973 shall mutatis mutandis apply to the seizure and disposal of such property.

Central Act 2 of 1974

39. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force.

Overriding effect

40. The Government may, by notification and subject to such restrictions and conditions as may be specified in such notification, exempt any area or areas from the application of the provisions of this Act.

Exemptions

41. The authority shall create a separate fund to be called the Andhra Pradesh Water, Land and Trees Authority Fund, to which shall be credited all monies received by the Authority including,-

The Fund

- (a) all cesses or surcharges levied and collected under the Act;
- (b) all penalties received by the Authority as prescribed under the Act;
- (c) all money received by the Authority as fees prescribed under the Act;
- (d) all grants made by the Government.

42. The Authority shall, on or before 31st day of October every year prepare in such form as may be prescribed by the rules an annual budget estimate in respect of the ensuing financial year of the estimated income and expenditure of the Authority including those at district and mandal level and shall submit it to the Government for approval and inclusion in the State budget.

Budget

43. (1) The Authority shall maintain books of account and other books in relation to the business and transactions in such form and in such manner as may be prescribed.

Accounts and Audit

(2) The accounts of the Authority shall be audited by an auditor appointed by the Government.

(3) The Authority shall send a copy of the accounts audited together with a copy of the report of the auditor thereon to the Government within nine months from the end of the financial year.

(4) The Government shall cause the accounts of the Authority together with the audit report thereon forwarded to it under sub-section (3) to be laid before the Legislative Assembly of the State, as far as possible before the expiry of the year next succeeding the year to which the accounts and report relate.

Powers to remove doubts and difficulties

44. If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, by order make provisions or give such directions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the doubt or difficulty.



**Powers to make rules**

45. (1) The Government may, by notification, make rules to carryout all or any of the purposes of this Act.

(2) Every rule made under this Act shall immediately after it is made, be laid before the Legislative Assembly of the State, if it is in session and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled as the case may be so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

**Repeal of Ordinance 15 of 2000**

46. The Andhra Pradesh Water, Land and Tree Ordinance is hereby repealed.

**Repeal of Act 7 of 1996**

47. Andhra Pradesh Ground Water (Regulation for drinking water purposes) Act.1996, is hereby repealed.