

F. No. 8-25/2012-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi – 110003

Dated: 25th September, 2017

To,

The Principal Secretary (Forests),
Government of Andhra Pradesh,
Hyderabad

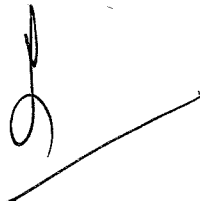
Sub: Diversion of 55.73 ha of forest land in Ramagiri (East & West) RF of Ananthapur Division for establishing 40.00 MW Wind Power Projects in favour of M/s Sarjan Realities Ltd., Hyderabad.

Sir,

I am directed to refer to the State Government's letter No. No. 8232/FOR.I (1)/2011 dated 02.04.2012 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *In-principle approval/Stage-I Clearance* of the Central Government is hereby granted for diversion of 55.73 ha of forest land in Ramagiri (East & West) RF of Ananthapur Division for establishing 40.00 MW Wind Power Projects in favour of M/s Sarjan Realities Ltd., Hyderabad in Andhra Pradesh subject to the following conditions:

1. Legal status of the diverted forest land shall remain unchanged;
2. Compensatory afforestation over the non-forest land, equal in extent to the area of forest land being diverted, shall be raised within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department at the cost of the user agency;
3. The future expansion of capacity due to improvement in technology should be done within the same diverted forestland and the revised plan shall be sent for consideration and record purpose;
4. The mitigation measures recommended by the University of Krishnadevraya, Ananthapur in its report shall be complied and monitored regularly at the cost of the user agency;
5. The user agency shall take all mitigation measures to avoid casualties of raptors/birds/bats due to network of overhead power cables in consultation with established Institution having expertise on the subject and as recommended by the state forest and wildlife department from time to time;



6. The land identified for the purpose of CA shall be clearly depicted on a Survey of India topo-sheet of 1:50,000 scale;
7. 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;
8. The non-forest land transferred and mutated in favour of the State Forest Department shall be notified by the State Government as RF under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, 1927 latest within a period of six months from the date of issue of Stage--II approval. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, as the case may be, within the stipulated period to the Central Government for information and record;
9. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
10. The User Agency shall provide additionally 25% of the CA cost towards Soil and Moisture Conservation measures in the proposed CA area as per site requirement and the said amount may be deposited in the account of Ad-hoc CAMPA of the concern State through on-line portal only;
11. The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard;
12. At the time of payment of the Net Present Value (NPV) at the then prevailing 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;
13. The user agency shall defray the cost of lease rent of Rs. 30,000/- per MW for the period of lease in addition to CA, NPV, etc. and the amount so received shall be deposited in the account of Ad-hoc CAMPA pertaining to the State concerned. The said amount shall be utilized in providing gas connection to the local villages under joint forest management programme and for other conservation measure;
14. All the funds received from the user agency under the project, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred to Ad-hoc CAMPA in the Saving Bank Account pertaining to the State concerned;
15. No labour camp shall be established on the forest land;
16. The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
17. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, GPS coordinates, forward and back bearing and distance from pillar to pillar;



18. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
19. The forest land shall not be used for any purpose other than that specified in the proposal;
20. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
21. No damage to the flora and fauna of the adjoining area shall be caused;
22. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
23. As per the Central Government's guidelines dated 14.05.2004, 65% to 70% of the demanded area shall be developed as Medicinal Plants Garden and medicinal dwarf plants shall be planted between each wind turbine at the cost of the user agency;
24. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
25. The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other 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 its letter No. 11-9/1998-FC (pt.) dated 03.08.2009, in support thereof;
26. The user Agency shall demarcate the project area by creating Cairns (60 cm high) with available stones and indicated the marking of forward and backward bearings on these cairns;
27. After the construction of the approach road as per the Project Plan, these Cairns shall be substituted by four feet high RCC pillars at the project cost indicating on each pillar the forward and back bearing as well as distance between the adjacent pillars, and GPS coordinates;
28. The vane tips of the wind turbine shall be painted with orange colour to avoid bird hits;
29. The lease period shall be for a period of 30 years;
30. The wind turbines/wind mills to be used on forest land shall be approved for use in the country by the Ministry of Non-Conventional Energy Sources, Government of India;
31. Soil and Moisture conservation measures like contour trenching shall be taken up on the hillocks supporting the wind mill by the State Forest Department at the cost of user agency;
32. The free movement of the villagers, if any within and surrounding area shall be ensured;



33. The User Agency shall comply with all conditions stipulated by the State Government of Gujarat at the time of submission of the proposal to the Central Government;
34. The user agency shall submit the annual self-compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly;
35. Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and
36. The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines and Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project;

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,


(Nisheeth Saxena)

Sr. Assistant Inspector General of Forests (FC)

Copy to:-

1. Principal Chief Conservator of Forests, Government of Andhra Pradesh, Hyderabad.
2. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (South Eastern Zone), Chennai
3. The Nodal Officer (FCA), Government of Andhra Pradesh, Hyderabad.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.


(Nisheeth Saxena)

Sr. Assistant Inspector General of Forests (FC)