



भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

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F.No.4-APB043/2017-CHN/1565

Date 27th September, 2017

To,

The Principle Secretary to the Government of Andhra Pradesh,
Environment, Forests, Science & Technology Department,
Government of Andhra Pradesh, Room No.268, 1st Floor, 4th Block,
Andhra Pradesh Secretariat, Velagapudi, Guntur District-522238

Subject: Diversion of 2.30 ha of forest land in Nellore Division for providing approach Road to IP Mambattu Phase-I to IP Mambattu Phase-II, in favour of Zonal Manager, Andhra Pradesh Industrial Infrastructure Corporation Limited, Nellore-reg.

Sir,

Please refer to the State Government's letter No3369/Section-II/2017 dated 13.09.2017 and online application No. FP/AP/ROAD/24225/2017 seeking prior approval of the Central Government for diversion of forest land in accordance with Section '2' of Forest (Conservation) Act, 1980 for the above mentioned project.

After careful consideration of the proposal of the State Government, I am directed to convey hereby the Central Government's approval (**Stage-I**) under Section '2' of Forest (Conservation) Act, 1980 for Diversion of 2.30 ha of forest land in Nellore Division for providing approach Road to IP Mambattu Phase-I to IP Mambattu Phase-II, in favour of Zonal Manager, Andhra Pradesh Industrial Infrastructure Corporation Limited, Nellore, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) The demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency;
- (iii) The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over identified 2.44 ha of non-forest land in Sy.No.327 of Attivaram (V), Ozili (M) at the cost of user agency;
- (iv) Identified CA land and approved CA scheme shall not be changed without the prior approval of the Central Government;

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DESPATCHED (BY SP)
Date 28/09/17 *RS*

- (v) 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;
- (vi) The State Government shall charge the Net Present Value of the diverted forest land measuring 2.30 ha from User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995;
- (vii) Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from User Agency. User Agency shall furnish an undertaking to this effect;
- (viii) The funds received from the User Agency under this project shall be deposited in the respective bank account of the Andhra Pradesh State CAMPA. **The User Agency shall compulsorily deposit the NPV and other levies, only by generating challan through the Ministry's website;**
- (ix) The layout plan of the proposal shall not be changed without the prior approval of the Central Government. User Agency shall furnish an undertaking to this effect;
- (x) RoFR certificate in the Ministry's prescribed format with all enclosures shall be furnished along with the compliance report;
- (xi) The user agency shall dig trenches on either side of the road in order to avoid any further encroachments on the road side;
- (xii) The User Agency shall obtain the Environment Clearance as per the Environment (Protection) Act 1986, if applicable to such road projects;
- (xiii) The UA shall construct retaining walls and check walls at the project cost wherever required by consulting the DFO concerned;
- (xiv) The construction of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals;

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- (xv) Trees/Bushes standing in the diverted area shall be felled / cleared strictly as per requirement with prior permission of the Divisional Forest Officer concerned;
- (xvi) The user agency shall arrange to raise avenue plantation all along the roadside at the project cost with maintenance of 7-10 years.
- (xvii) Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO so as to stabilize the soil;
- (xviii) The State Forest Department shall translocate the trees, wherever feasible instead of felling, at the cost of user agency;
- (xix) The total forest area utilized for the project shall not exceed **2.30 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. User Agency shall furnish an undertaking to this effect;
- (xx) The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;
- (xxi) User agency and the State Government shall ensure compliance to provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to such project;
- (xxii) The Progress of the Compensatory Afforestation as mentioned by the DFO, Nellore Forest Division in Sl No 12 (v) (a) & (b) of part II i.e 1036.99 ha of forest land and 7260.25 ha of non forest land shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Regional Office to upload the same in the web portal;
- (xxiii) Any other conditions that the Central Government or Addl. PCCF(Central) of Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency;
- (xxiv) The user agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the Regional Office, regularly;
- (xxv) In the event of failure to comply with any of the above conditions the user agency is liable for penal action as decided by the Additional PCCF (Central), Regional Office, Chennai.

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After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. Transfer of forest land to User Agency shall not be effected prior to the issue of final approval. This in-principle approval shall be valid for a period of 5 years. In the event of non compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,



(D.Sathiyam)

Conservator of Forests (Central)

Copy to:-

1. The Director General of Forests & Special Secretary to Govt. of India, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
2. The Principal Chief Conservator of Forests, Forests Department, Govt. of Andhra Pradesh, Sankuratri Residency, M.G.Inner Ring Road, Agatavarapadu, Guntur-522509
3. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Andhra Pradesh, , Sankuratri Residency, M.G.Inner Ring Road, Agatavarapadu, Guntur-522509.
4. The Director, RO(HQ) Division, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi - 110 003.
5. The Zonal Manager, APIIC, Industrial Park, A.K. Nagar, Nellore, Andhra Pradesh-524004.
6. Guard file.



(D.Sathiyam)

Conservator of Forests (Central)

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