

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
Regional Office (South Eastern Zone),
1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,
Nungambakkam, Chennai - 600034, Tel. 044-28222041,
e-mail: ro.moefccc@gov.in / roefccc@gmail.com



F.No.4-APC053/2017-CHN/ 0138
Date 29th January, 2018

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 10.64 ha of forest land in Compt.No.381, Motupalli Beat, Kadavakuduru RF, Giddalur Division for Rehabilitation and Up-gradation of Eeppurpalem-Ongole Section from Km 195+000 to km 254+500 of NH-214 A (New NH-216) to two lanes with paved shoulders under NHDP-IV on EPC basis, in favour of Project Director, Project Implementation Unit (PIU), Machilipatnam-reg.

Sir,

Please refer to the State Government's letter No.5412/Section-II/2017 dated 26.12.2017 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 hereby directed to convey the Central Government's approval (**Stage-I**) under Section '2' of Forest (Conservation) Act, 1980 for Diversion of 10.64 ha of forest land in Compt.No.381, Motupalli Beat, Kadavakuduru RF, Giddalur Division for Rehabilitation and Up-gradation of Eeppurpalem-Ongole Section from Km 195+000 to km 254+500 of NH-214 A (New NH-216) to two lanes with paved shoulders under NHDP-IV on EPC basis, in favour of Project Director, Project Implementation Unit (PIU), Machilipatnam, subject to the following conditions:-

1. Legal status of the diverted forest land shall remain unchanged;
2. 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;
3. The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over 21.28 ha of degraded forest land identified in Compt

No. 375 of Ongole Range, Vetapalem Section, Kukatlapalli Beat, Nagarajupalli block at the cost of user agency;

4. Identified CA land shall not be changed without the prior approval of the Central Government;
5. The State Government shall charge the Net Present Value of the diverted forest land measuring 10.64 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;
6. 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;
7. The funds received from the User Agency towards Compensatory Afforestation and Net Present Value under this project shall be deposited in the **Corporation 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;**
8. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
9. No labour camp shall be established inside the forest area and the dugout material / overburden shall be dumped outside the forest area;
10. No storage of any material shall be done in the forest area proposed for diversion;
11. The PCCF and Nodal Officer (FCA) of the State of Andhra Pradesh shall instruct all the field level Officers to implement the CA scheme in its entirety and no CA amount should be left unspent;
12. The State Government shall furnish revised RoFR certificate in the prescribed format for the linear projects with all enclosures along with the compliance report;
13. The user agency shall dig trenches on either side of the road in order to avoid any further encroachments on the road side;



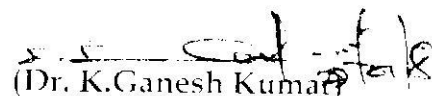
14. The User Agency shall obtain the Environment Clearance as per the Environment (Protection) Act 1986, if applicable to the such road projects;
15. The UA shall construct retaining walls and check walls wherever required by consulting the DFO concerned at the project cost;
16. The construction of culverts/bridges, 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;
17. Trees/Bushes standing in the diverted area shall be felled / cleared strictly as per requirement with prior permission of the Divisional Forest Officer concerned;
18. The State Forest Department shall raise avenue plantation all along the roadside as per the plantation scheme submitted along with the proposal at the project cost with maintenance of 10 years;
19. Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO so as to stabilize the soil;
20. The State Forest Department shall translocate the trees, wherever feasible instead of felling, at the cost of user agency;
21. The total forest area utilized for the project shall not exceed **10.64 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;
22. 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;
23. User agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.
24. 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;



25. The Progress of the Compensatory Afforestation as mentioned by the DFO, Giddalur Division in Sl No 12 (v) (a) & (b) of part II i.e 506.062 ha of forest land and 2296.3495 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.
26. The user agency shall submit the annual self compliance report in respect of the above conditions to the State Govt. and to the Regional Office, regularly.
27. 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.

After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years. In the event of noncompliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

Yours faithfully,


(Dr. K. Ganesh Kumar)

Deputy 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 Project Director, Project Implementation Unit (PIU), Ministry of Road Transport & Highways, Door No 16-355/B, Opposite Ratnam High School Machilipatnam, Krishna District, Andhra Pradesh-521002.
6. Guard file.


(Dr. K. Ganesh Kumar)

Deputy Conservator of Forests (Central)