

Cno: 8191

GOVERNMENT OF ANDHRA PRADESH
ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

Letter No.9128/Section-II/2013

Dated: 5-5-2016.

From
The Special Chief Secretary to Government,
E.F.S&T Department,
A.P. Secretariat, Hyderabad.

To
The Additional Principal Chief Conservator of Forests (Central)
Government of India,
Ministry of Environment, Forests and Climate Change,
Regional Office, 1st and 2nd Floors,
Handloom Export Promotion Council Building
34, Cathedral Garden Road,
Nungambakkam, Chennai – 600034 (w.e.)

Sir,

Sub: Diversion of 0.30 Ha. of forest land in Compartment No. 85 of Pasuvemula R.F. and Nellikal R.F. of Nagarjunasagar Wildlife Management Division for laying optical fiber cable in forest area along Peddavura to Macherla route, in favour of M/s. Idea Cellular Ltd., Hyderabad. – Stage. I approval accorded – Furnishing of compliance report – Reg.

- Ref: 1. State Govt. Letter No.9128/Section-II/2013, Dated.16-05-2015.
2. From GoI, MoEF & C.C, F No.4-APB008/2015-CHN, Dt.5-6-2015
3. From PCCF & HoFF, A.P, Lr Rc No.46005/2012/FCA-I, Dt.16-12-2015.
4. State Govt. Lr.No.9128/ Section-II/2013, Dated:29-12-2015
5. From GoI, MoEF & C.C, Lr.No.4-APB 008/2015-CHN/81,Dt: 8-1-2016
6. From PCCF & HoFF, A.P, Lr.Rc.No.46005/2012/FCA-1, Dt:25-4-2016

I am directed to invite your attention to the reference 5th cited, in which the Government of India, Ministry of Environment, Forests & Climate Change have accorded approval in-principle (Stage-I) U/s 2 of Forest (Conservation) Act, 1980, for diversion of 0.30 Ha. of forest land in Compartment No. 85 of Pasuvemula R.F. and Nellikal R.F. of Nagarjunasagar Wildlife Management Division for laying optical fiber cable in forest area along Peddavura to Macherla route, in favour of M/s. Idea Cellular Ltd., subject to fulfillment of certain conditions as stipulated therein.

2. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Hyderabad, in his letter 2nd cited, has submitted condition wise compliance report on the conditions stipulated by Government of India, Ministry of Environment, Forests & Climate Change, while according (Stage-I) approval, and the details of which are as follows:-

Sl. No.	Conditions stipulated by GoI, MoEF&C.C.	Compliance report submitted by the PCCF & HoFF
(i)	Legal status of the diverted forest land shall remain unchanged.	The status of the land remains 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	The User agency has submitted an undertaking that '4' feet height C C Pillars would be erected at an interval of 20 meters at the cost of the User Agency within 30 days from the date of granting free access.

(iii)	The State Government shall charge the Net Present Value of the diverted forest land measuring 0.3 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.	The User agency has deposited an amount of Rs. 6.570 lakhs (Rupees Six lakhs Sixty Seven thousands) in A.P. CAMPA A/c. No. 344902010105407 New Delhi towards Net Present Value. The User Agency has produced the Xerox copy of Bank statement towards remittance attested by the company's authorized person.
(iv)	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.	The User agency has given an undertaking to pay additional Net Present Value (NPV) if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future.
(v)	The funds received from the User Agency towards Net Present Value under this project shall be deposited either in SB Account No.SB01025198- CAF Andhra Pradesh, Corporation Bank, CGO Complex, Lodhi Road, New Delhi—110003 (RTGS/ IFSC No.CORP0000371) or in SB A/c No.344902010105 407- ANDHRA PRADESH CAMPA, Union Bank of India, Sundar Nagar, New Delhi-110003 (RTGA/IFSC No.UBIN0534498). The User Agency shall generate Challan from the Ministry's online web portal to deposit the amount towards compensatory levies.	The User agency has deposited an amount of Rs.6.570 lakhs towards Net Present Value to the AP CAMPA A/c No. 344902010105407 New Delhi, dt. 18.3.2016 and generated the challan from the Ministry's online web portal to deposit the amount towards compensatory levies.
(vi)	The State Forest Department shall carry out mitigation measures as recommended by the NTCA at the cost of User Agency.	The user agency has deposited an amount of Rs.10.00 lakhs (Rupees Ten lakhs only) towards the Mitigation measures to be taken in sanctuary area in the vicinity of the project. Accordingly the user agency has produced the Xerox copy of the Bank statement attested by the company's authorized person for transfer of Rs.10.00 lakhs (Rupees Ten lakhs only) to the Bio-Diversity Conservation Society of AP, Andhra Bank, Secretariat branch, Hyderabad A/c No. 110310100014082 as mentioned in the condition.
(vii)	The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to	The User Agency has stated that as per Govt. of India, MoEF instructions an under taking is given by the user agency that RoFR clearance letter will be obtained from the District Collector, Guntur and it will be submitted if it is

	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 along with the Compliance report.	warranted.
(viii)	The cable line shall be laid at least one meter below the ground level and the forest land shall be restored to its original state after laying the same. The maximum size of the trench should not exceed 2.00 mt depth and 1.00 m width.	The User Agency has submitted an undertaking that the User Agency that the Optical Fibre Cable (OFC) would be laid at least one meter below the ground level and further to restore the forest land to its original state after laying the same and to dig the trench for laying the OFC not exceeding 2.00 Meter depth and 1.00 Meter width.
(ix)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has submitted an undertaking that the lay out plan of the proposal shall not be changed without the prior approval of the Central Government.
(x)	Minimal disturbance should be ensured by creating labour camps outside the forest area as far as possible and it will be the responsibility of the UA to ensure that the laborers & staff engaged in execution of work do not destruct nearby forest flora and fauna.	The User Agency has submitted an undertaking to ensure minimal disturbance by creating labour camps outside the forest area as far as possible and that the labourers & staff engaged in execution of work do not destruct nearby forest flora and fauna.
(xi)	Felling of trees shall not be carried out by the User Agency. User Agency shall furnish an undertaking to this effect	The User Agency has submitted an undertaking not to fell any tree while laying the Optical Fiber cable along the road.
(xii)	Work shall be taken up during day time only. No work shall be carried out during night time. User Agency shall furnish an undertaking to this effect.	Undertaking has been submitted by the User Agency that the execution of work for laying OFC would be done during the day time and no work would be carried out during night time.
(xiii)	User Agency shall undertake soil conservation measures around the forest area proposed for diversion at the project cost.	Undertaking has been submitted by the User Agency to carry out soil conservation measures around the forest area proposed for diversion at the cost of the User Agency.
(xiv)	The total forest area utilized for the project shall not exceed 0.3 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.	Undertaking has been submitted by the User Agency that total forest area required for diversion of use of forest land shall not exceed 0.30 Ha. and the forest area required shall not be used for any other purpose other than laying of Optical Fiber Cable.
(xv)	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.	Undertaking has been submitted by the User Agency to comply with all the provisions of all Acts, Rules, Regulations and Guidelines for the time being in force as applicable to the Project.

(xvi)	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.	Undertaking has been submitted by the User Agency to comply with any other condition that the Government of India or Addl. Principal Chief Conservator of Forests (Central) of Regional Office, Chennai may impose from time to time in the interest of Afforestation, Conservation and Management of Flora & Fauna in the Area.
(xvii)	In the event of failure to comply with any of the above conditions the user agency is liable to pay penalty as decided by the Additional PCCF (Central), Regional Office, Chennai.	Undertaking has been submitted by the User Agency to pay penalty imposed by the Addl. Principal Chief Conservator of Forests, (Central), Regional Office, Chennai in the event of failure to comply with any of the conditions mentioned in in-principle (Stage-I) approval issued Government of India, Ministry of Environment, Forests & Climate Change.

3. It is to further inform that as per the Government of India guidelines of Government of India, Ministry of Environment, Forests and Climate Change, Lr.No.11-9/98-FC(pt.), dt.5.2.2013 for linear projects i.e. laying optical fiber cables underground, the Form-I certificate from the concerned District Collector is not required (for RoFR) excepting for PTGs. The cable is being laid along the existing road and no rights are infringed for laying cables. However, the user agency has given an undertaking to obtain the certificate from the District Collector, Guntur and will submit if it is warranted.

4. I am to enclose a copy of the letter together with its enclosures received from Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Hyderabad and to request you to accord Final (Stage-II) approval under Section-2 of Forest (Conservation) Act, 1980 for the project.

Yours faithfully,


for Special Chief Secretary to Government

Copy to

The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Hyderabad.

The M/s. Idea Cellular Limited,
5-9-62, Khan Lateef Khan Estate, 3rd Floor,
Fateh Maidan Road, Hyderabad -500 001